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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION

UPON

DECENTRALIZATION

IN THE

CENTRAL PROVINCES.

109116

VOLUME VI.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

THIRTY-NINTH DAY.

NAGPUR, *Wednesday, 5th February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E., I.C.S.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. F. S. A. SLOCOCK was called and examined.

Mr. F. S. A. Slocock.

5 *Feb.*, 1908.

24756. (*Chairman.*) You are the Chief Secretary to the Chief Commissioner of the Central Provinces? —Yes.

No change in the general financial system is suggested, but there are some matters of detail in which a change might be made. There is no reason, now that the provinces have a regular financial settlement of their own, why the provincial budget should be subject to detailed criticism and alteration by the Finance Department of the Government of India. The Chief Commissioner should be allowed to pass his own provincial budget. The chief object of the divided heads in the financial settlement is understood to be the necessity of giving the Government of India an equal interest with the provincial Government in certain growing revenues, and not any idea of administrative necessity. The system of divided heads, where the expenditure as well as the revenue is divided, results in inconvenience whenever any unlooked-for expenditure is necessary, as it is difficult to find any other imperial head from which re-appropriation can be made. It is therefore suggested that even where the revenue has to be divided, the expenditure should remain wholly provincial, either as in the case of land revenue at present, or, if that is likely to throw an unfair burden on the provincial share of revenues, by dividing the net revenue only, *i.e.*, the revenue left after charging the whole expenditure to provincial. This would simplify matters from an account point of view.

It is not suggested that the Local Government should have borrowing powers; the present system is good enough and cheaper.

The rules of the Civil Account Code might be relaxed in regard to criticism and objection by the provincial Accountant-General or Comptroller of the actions of the Local Government. The same stringency should not be applied in audit of sanctions by the Local Government as of those passed by subordinate officers. The rules at present, as interpreted by some Accounts Officers, give them undue power of interference with the Local Government.

In administrative matters no change in system is advocated. The Government of India's sphere is that of general control, of prescription of general principles, leaving Local Governments to work out details, and it generally confines itself to that sphere. In some matters it seems to go outside them and to reserve to itself powers which might well be delegated to the Local Government. For, instance, the Chief Commissioner has to report for India's sanction the appointment of an officer as Commissioner or as his Chief Secretary, or the supersession of any officer in the Commission. He should be allowed to do this without report. Any officer who considers himself aggrieved has a right of appeal to India, and that is enough. The appointment of Judicial Commissioner and Financial Commissioner, if we get one, should remain subject to India's sanction. The Chief Commissioner should be able to appoint any Head of a Department except the Inspector-General of Civil Hospitals and the Chief Conservator of Forests, without reference to India. Again, certain posts in the Commission are listed for officers of the Provincial Civil Service, but sanction has to be obtained for appointment of any Provincial Civil Service officer to such a post. This should be unnecessary, but a change would mean legislation in Parliament.

Where any delegation of powers necessitates legislation the changes should be made by special legislation and not by a general Act.

No administrative financial control should be delegated to any officer; it is not that individual officers cannot be trusted to exercise such control, but they have not the same advice at hand as the Local Government has with its provincial Accounts Officers and its expert Finance Department in the Secretariat. Budgets must all be passed by the Local Government and the decision must rest in all financial administration with the Local Government, or there would be great confusion. But greater executive powers may well be delegated, more especially in regard to supplies, services, and contingencies, *vide* Chapter 6 of the Civil Account Code, and specially Article 98. But all powers given to subordinate authorities should be for exercise only within budget limits, and no original power of sanction of new posts should be given them.

Subject to the above remarks, the power of Commissioners, Deputy Commissioners, and Heads of Departments in regard to petty sanctions can be usefully extended in many ways. The general lines on which the Administration runs and on which any changes should proceed are indicated in Chief Commissioner's note, viz.:—(1) Maintain and strengthen the Commissioner; (2) delegate powers to the Deputy Commissioner through the Commissioner, *i.e.*, allow the Commissioner to delegate them to any Deputy Commissioner whom he considers fit; (3) maintain and strengthen the position of the Deputy Commissioner as the chief Administrative and Executive Officer of the district in all branches of the Administration.

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Mr. F. S. A. Slocock.

5 *Feb.*, 1908.

Similarly, the Chief Commissioner has expressed a general opinion on the subject of local self-government. I however give some instances in which I think a change is needed:—

In semi-Judicial cases the Deputy Commissioner should be made the highest Court of Original Jurisdiction. This would mean his disposing of such cases as partitions, sales of land in execution of decree, transfer of *sir*, which now go up to Commissioners or Chief Commissioner.

The Deputy Commissioner should hear appeals from his Assistant Commissioners and Extra-Assistant Commissioners exercising the powers of a Deputy Commissioner, which at present go to the Commissioner. This is an obvious and most necessary reform. I would also except from the general rule that second appeals should lie in all cases in which the Commissioner confirms on appeal the order of a Deputy Commissioner. (The rare cases in which an order confirmed by both Deputy Commissioner and Commissioner would need revision could be dealt with under revisional powers of Chief Commissioner.)

The Local Executive Officer of the Public Works Department should be made subordinate to the Deputy Commissioner in the same way as the Forest Officer and Civil Surgeon are already. In regard to the Public Works Department, a change is needed not merely as regards the relations of the local officer to the Deputy Commissioner, but also in the higher grades. I am inclined to think that the elimination of the Public Works Department Secretariat as such and the restriction of the functions of the Chief Engineer (Secretary, Public Works Department) to the Head of the Department only would be beneficial. The Secretariat business relating to the Public Works Department would then come to the Civil Secretariat first, as that of all other departments does.

The connection between Deputy Commissioners and District Boards should be made closer; the Deputy Commissioner should be in all cases *ex-officio* Chairman. I consider this better than leaving him to exercise his influence from outside. The functions of the Local Boards can be widened most usefully by giving them more funds for all purposes. I would transfer all roads to Local Boards and abolish the connection of provincial funds with roads. To enable this funds would have to be given freely from provincial revenues to local. Official interference with Municipal Committees should be decreased as far as possible and there should be the minimum of official representation on Committees. The financial powers of Local Boards and Municipal Committees should be as full as possible; general control should be left to Commissioners and Chief Commissioner, but they should have as little voice in details as is consistent with such control.

The knowledge of the vernaculars among Executive Officers is far too small. A very intimate knowledge of the vernacular should be insisted on. Our system of Departmental Examinations is quite at fault. We might eliminate the law and make the language far harder.

24757. You were transferred to the Central Provinces from Madras in 1898? Is there any rule regarding the transfer of officers from another province?—By your covenant you are bound to go wherever you are required to go. Such transfers are very rare.

24758. On being transferred from Madras, you found a difference between the system of working through a Board of Revenue and that of working through Commissioners. Which, on the whole, of these two systems works the better?—In Madras I had not much experience, because I was only an Assistant Collector. I should say that, generally speaking, the system of Commissioners is preferable in the matter of keeping the men together. The Commissioner sees a great deal more of the men in his division than any member of the Board of Revenue could possibly see of all the men in the whole of the province. There is also the advantage of the personal, as opposed to the impersonal, administration of a Board.

24759. Generally speaking, does the position of the Collector in Madras correspond to the position of a Commissioner here?—I should say, in Madras, the Collector is something between a Commissioner and a Deputy Commissioner in the Central Provinces.

24760. He would keep his men in his district together as a Commissioner would do in his division?—Undoubtedly in his district, but a Collector has perhaps only half a dozen men under him, whereas a Commissioner has half a dozen men in each of his four or five districts. The Madras Collector stands midway between the Commissioner and the Deputy Commissioner both in power and position. The powers of a Commissioner are not as strong as those of a Board of Revenue, at least not in these provinces.

24761. You prefer the system of Commissioners here?—Yes.

24762. We are told that there has been a tendency to send men, who are not considered fit for posts in the larger provinces, to the Central Provinces. Without mentioning any names, would you, as Chief Secretary, tell us whether there is a certain proportion of men in the province with whom, if the system of selection was rigidly applied, you would be desirous of dispensing?—I am afraid I could not say that myself. I understand that the criticism refers only to the Heads of Departments like the Medical Department or the Education Department.

24763. Supposing the system of selection was rigidly applied here, both in the past and in the present, are there certain officers whose services could be advantageously dispensed with?—I believe it is a fact that men who have reached near the top of the tree have been thought good enough to be sent as Heads of Departments to these provinces, although they would not have been selected for a bigger province; it has been thought that it was worth while to give them something at the end of their service.

24764. Is the work easier here than in other provinces?—Undoubtedly it must be a great deal lighter. It is increasing enormously in volume and complexity. The question you were just putting, could be best answered by the Government of India, who makes the selection of these officers. I should not say that it applied to the Forest Department; they would send men as carefully for the Forest Department in these provinces as they would in any other part of India.

24765. Is the Forest Service in the Central Provinces an important one?—Yes; we used to be joined with the Punjab, being both on one list, but they have separated them now under a new scheme recently sanctioned.

24766. In this province annual conferences are held of Commissioners. Who presides on those occasions?—The senior Commissioner.

24767. How long do conferences last?—Commissioners come up about the end of May, at the end of the season at Pachmarhi, and stay for a month; they have more or less formal conference for about ten days; the rest of the time is spent in generally talking about various matters informally with them. Any important questions, about which their advice is wanted, are generally shunted until the end of the Pachmarhi season, when you either consult the Commissioners formally at their conferences, or separately.

24768. Has that annual conference had any practical result?—I do not know that I could point to any definite result.

24769. Does it save a great deal of correspondence that would otherwise take place?—Yes; you put cases aside which you would otherwise have to circulate and wait for letters in reply.

24770. Is it easier to decide on questions of policy subsequently on account of that expression of opinion on the part of the Commissioners?—Undoubtedly; very often before sending out a case for opinion you put it before the Commissioners and get their ideas of the lines upon which you should address them; then, again, the Conservators

of Forests come up, and they discuss forest questions with the Commissioners.

24771. Is it necessary first of all to hold a formal conference of Commissioners on a subject, and then to address them equally formally as to what their opinions are?—It is generally a good thing. You can discuss general lines personally and then you may have to send them to the Commissioners to consult with subordinate officers on various details.

24772. Might it save time if you gave the Commissioners a sort of agenda of what you were going to discuss and got them to obtain beforehand the opinions of their District Officers?—In some cases that is done.

24773. Otherwise your conference, which is meant to save time, may merely lead to a duplication of work?—It might in a way, but on the whole the advantage of personal discussion is that you are able to prune down the excrescences of a case; you can fine down the issues you are going to put; and the personal advice of senior officers is always an advantage.

24774. Would it not save the subsequent circulation of papers for opinion if you gave the Commissioners the opportunity of consulting their District Officers before they came for the conference?—It is difficult to go on general lines. In one case one course might be the better, in another case another.

24775. Do the Commissioners themselves hold conferences with their District Officers?—Yes.

24776. Is that by instruction from the Secretariat?—No, there are no instructions. Generally in the rains Commissioners ask their District Officers in to speak about matters.

24777. I understand it is the view of the Chief Commissioner that the position of the Commissioners should be not merely maintained, but strengthened. In what direction?—That the Commissioner should be more clearly recognised as the Chief Administrative Officer of the division in all departments in respect of his relations with Heads of Departments.

24778. What particular Heads of Departments?—All Heads of Departments generally. As to some the connection between the Commissioner and the District Officer is closer than it is as to others, especially in the matter of the Public Works Department.

24779. Is that what is principally in your mind—the relations of the Commissioner with the Public Works Department?—Yes.

24780. The view of the Government of the Central Provinces is that the District Officer is to be the pivot of the administration, and that every sort of department which works in the district is to be concentrated more or less around him?—Yes.

24781. He is to be kept informed at every step of the working of hospitals, and the system of working forests, and so forth?—Yes.

24782. How can any single officer be so fully acquainted with all these subjects as to practically have control over them?—He comes into contact with them in the course of his ordinary duties. He would not interfere in technical details.

24783. Then what is the kind of control which it is desired that the Deputy Commissioner should have?—You might call it mere administrative control. Take the case of forests, for instance: the control that the Deputy Commissioner would have over the forests would cover the question of opening forests to grazing; we have a system in the Central Provinces of commutation; the villagers commute for various things including grazing and minor produce, taking fuel for their houses and so on. There might be a question whether certain villagers should be admitted to this system of commutation, and what areas should be opened.

24784. Is it said that he is to be kept informed at every step; if he is to be kept informed at every step, is not that rather, not decentralization, but centralization?—It is centralization in the District Officer, undoubtedly.

24785. And that, you think, is a good thing?—Yes.

Mr. F. S. A. Slocock.

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24786. It is particularly suggested that this should take place with regard to the Public Works Department. The Executive Engineer is to be the assistant of the Deputy Commissioner, and the Superintending Engineer the coadjutor of the Commissioner?—Yes.

24787. In what way is he to be coadjutor: is he to be referred to as to every scheme?—Not in details of estimates, for instance. Take the instance of opening out new roads. Even as things are at present no new roads would be actually undertaken without the advice, or at the suggestion, of the Commissioner; but we have road schemes for each district; certain roads are suggested by the District Officer and the Commissioner to the Public Works Department, and no new road is put on that scheme without their recommending it; but when once they are on the roads scheme it is not always known whether this road or that road is going to be undertaken in any particular year. The actual allocation of funds is determined by the Public Works Department, and very often it occurs that a road which is on the roads scheme, and which has been recommended to be undertaken, is actually undertaken before anybody but the Public Works Department officer knows anything of it.

24788. Are there a very large number of roads on the roads scheme?—A good many; on the average ten in every district.

24789. You wish that the Commissioner should be able to select the priority in which they should be executed?—He does select the priority, but he may be told, for instance, that next year such and such a road will be begun; next year, without his being informed, it is struck off the programme for that year.

24790. It is said that most of the chief advisers in the Public Works Department are officers who are singularly free from departmental prejudice. Surely in those circumstances, the Public Works Officers would write to the Commissioner and say, "I am going to begin with this road, or I am going to begin with that road"?—They would ordinarily, but cases have occurred in which they have not done so. They were probably exceptional cases.

24791. Then you want to make a general rule in order to meet an exceptional case?—I should say, to make a general rule which would prevent such exceptional cases arising; that is to say, not to leave it to the determination of a single officer whether he will write or not, but to make him write as a matter of course.

24792. It is said that returns are capable of further reduction. Has any attempt been made in this province to reduce returns?—We did try it on one occasion when a reference came down from the Government of India about it, in Lord Curzon's time. I do not think there has been any general attempt. Every now and then you knock off a return, just as you sometimes add one on.

24793. Can you say at all which returns are capable of reduction?—I could not say off-hand.

24794. I understand it has been the practice to put Deputy Commissioners in charge of districts when they are very junior in the service?—It has been, owing to the shortness of the service and the weakness of the *cadre*.

24795. After what service should a Deputy Commissioner take over a district?—Ordinarily he ought to be capable of working a district after about nine or ten years' service, not before.

24796. Except just for the purpose of relieving an officer for a short time?—Yes, that is another thing.

24797. Is there any general power of delegating powers which the Chief Commissioner here possesses which has not been exercised?—No, I do not think there is any general power.

24798. Is there any considerable amount of particular powers?—During the past ten years a great many delegations of power have been made in these

Mr. F. S. A. Slocock.

5 *Feb.*, 1908.

provinces. One of the things that struck me when I first came up from Madras was that powers were exercised by the Chief Commissioner which in Madras would have been exercised by a District Officer.

24799. Has that state of things been remedied?—It has to a great extent; there are still some powers which might be delegated.

24800. Which the Government of the Central Provinces should delegate at its own initiative?—I could not say definitely now, but a great many of them are powers which are retained by the Chief Commissioner under rules made by him and his predecessors.

24801. Was that partly on account of the junior standing of the staff, or because the matter had not been duly considered?—Partly that, and partly the way in which the provinces have grown. These provinces have grown up from a Commissionership; the Nagpur province started as a Commissionership directly administered by the Government of India; the head of the province was only a Commissioner, and of course his powers were much more restricted. Then, when the provinces were formed into a Chief Commissionership, many powers which would have been ordinarily exercised by a Local Government or Administration were still retained by the Government of India. Those powers have been delegated gradually by the Government of India to the Chief Commissioner; but in many ways the delegations to subordinate officers have not kept pace. A good deal remains which this Government could delegate.

24802. Who comes next to the Chief Commissioner in the hierarchy of Government?—The Commissioner. There is no Financial Commissioner, but we have proposals before the Government of India to appoint one.

24803. Below the Commissioner?—There are the Deputy Commissioner, Assistant Commissioners and Extra-Assistant Commissioners. The Extra-Asistant Commissioners are of the Provincial Service, filled by natives of India; the Assistant Commissioners are Civilians. Below them are the tahsildars. The tahsildar is the bottom of the list; but there are also revenue inspectors and patwaris.

24804. The tahsildar is the lowest officer who has charge of an area?—Yes; sometimes the *tahsil* is divided between the tahsildar and the naib-tahsildar.

24805. Is the jurisdiction of the Deputy Commissioner and the tahsildar a jurisdiction by subjects or by area?—By area.

24806. Then below the tahsildar and the naib-tahsildar, are there village officers?—There are revenue inspectors; they are purely for land record work; then come the *patwaris*; they are the village accountants; they have circles of about eight villages each, and they simply keep the land records. Then there is the *malguzar*, or, when they are co-sharer *malguzars*, the *lambardar* who is generally the *mukaddam*. The representative of the co-sharers is what is called the *mukaddam*; he is charged with certain duties under the Land Revenue Act, but he is not remunerated in any way; it is simply the incidence attaching to his status as the proprietor of land. Then also in the village there is the *kotwar*, the village watchman; he is paid by fees from the villages.

24807. What is the lowest class of Government paid servant?—For administrative purposes, the tahsildar.

24808. It is proposed that the executive unit of the Divisional Commissioner should coincide with the executive unit of the Public Works division?—It does not actually coincide. The Executive Engineer generally holds a division, which is made up of two or even three districts, but at each district there is an Assistant Engineer or a Sub-Divisional Officer who is the executive officer for the district, or in some cases for half of the district; there may be more than one in one district.

24809. The suggestion that has been made is that an Executive Engineer might be directly responsible to two or three Deputy Commissioners?—Yes, if you regard the Executive Engineer as the local executive officer of the Public Works Department.

24810. Would that lead to any difficulty?—No, I do not think so.

24811. Might it not be that both these District Officers might be calling for his services at the same moment?—It might occur of course; I do not think it would lead to any difficulty; the local Assistant Engineer would be regarded as the Executive Officer of the Public Works in his division; he is under the orders of the Executive Engineer. Public works are not sufficiently important to have an Executive Engineer in every district.

24812. So that in some places it might be the Assistant Engineer and in some places the Executive Engineer?—Yes.

24813. With regard to the Settlement Officers, of whom apparently there are six, are any officers on their first arrival sent to be trained under Settlement Officers?—All Assistant Commissioners undergo a settlement training course. Sometimes they are sent at the commencement of their service, but the idea is that they should serve in a district and pick up some knowledge of land revenue procedure and land records before they are sent for their training.

24814. How long do they serve before they are sent to settlement work?—This year we have refused to send anyone of less than three years' service.

24815. Does an officer get such a good chance of learning the vernacular at a district headquarters as he would under a Settlement Officer?—I think so.

24816. Have they the same opportunities of coming in contact with the people?—Undoubtedly, if they are not kept entirely at headquarters and made to do either case-work or any kind of work which prevents them coming into contact with the people—if they are taken out on tour, for instance, by the District Officer.

24817. It is represented that that is precisely what does take place—that the young officer is tied to case-work?—For his first year he is not tied to case-work; he is given a few third class cases, but what he is chiefly tied to is reading up his law books for his departmental examinations in the law and treasury accounts and that kind of thing.

24818. So that practically he does not get that opportunity of converse with the people which leads to a complete knowledge of the vernacular?—I should say that he does not in practice; but there would be nothing to prevent an officer getting sufficient knowledge. The case-work does not keep him for more than an hour a day at the outside. Very often for days together he would not have any case-work.

24819. As a rule have officers in the province a good knowledge of the vernacular?—I do not think they have enough knowledge of the vernacular.

24820. Might that not be due to the fact that they do not start under a right system?—Quite possibly; in fact, I should say it was so.

24821. Is the present method of training the young officer on his arrival a good one?—It depends so much on the personality of the man under whom the young officer serves.

24822. But if the knowledge of the vernacular possessed by the whole of the officers is short, does that not lead to the impression that it may be due not so much to the fault of the individual as to the fault of the system?—It may be it is the fault of the system, but having regard to the periodical examinations that we have to pass in law and so on, I do not thing a sufficiently high standard in the vernacular is insisted upon. The tendency all over the world will be, once a man has passed his examination, to go on no further, except in occasional cases where you have a man who is particularly keen on finding out the habits of the people and so on. Any young officer can learn just as much as will enable him to pass his examination. In that way it is the fault of the system entirely. What I should like to do is to practically abolish the law and accounts examinations, and insist on a very high standard in the vernacular. Personally

I suffer from not knowing the vernacular, because I have come from another province, and perhaps I am not so qualified to speak up here. I started in Madras where nearly every one speaks English; you can hardly go to a village without meeting an English-knowing man. I have met a village *kotwar* in Madras who could speak English. One always heard that in other provinces the knowledge of the vernacular was not to be compared with the knowledge of the vernacular in Madras, but when I came up here it was my impression that most of the officers did not know much more of Hindustani than we did of Tamil in Madras.

24823. Is Hindi practically universal here?—In some districts in the south, in the Nagpur Division and Berar, it may not be understood at all; Marathi prevails in the Nagpur Division and Berar; Hindi will practically take you everywhere; Marathi will only carry you through those districts.

24824. Would you favour a system of training which sent the young officer out under a Settlement Officer, say, after a year at his district headquarters?—If you want him to learn settlement it is not much use sending him out after a year, but if you want him to pick up the vernacular he might possibly learn more in settlement than in ordinary work.

24825. Speaking generally, you would not favour anything of that sort?—No. I do not think it is necessary.

24826. How is the work divided among the Secretaries to Government; does it go by the officer or by the individual?—Certain sections always go to the Chief Secretary; the others are shifted about according to the particular line of the individual Secretary.

24827. But are certain departments always attached to the Chief Secretary?—The Appointments, Political, Military and Police are always attached to the Chief Secretary; as to the others, he may take some that the others have now got and they may take some that he has got. I was officiating as Chief Secretary in 1906 for some time; I took with me the departments I had been running before, and simply took over those departments—Police, Political, and Military—in addition.

24828. Is there any distinct difference of status between the various Secretaries and Under Secretaries; one is the Chief Secretary with an Under Secretary; the next is the Second Secretary with an Under Secretary; the next is the Third Secretary with an Assistant Secretary?—It is simply a name that comes from the old organisation of the Secretariat. There is no difference of status. The Assistant Secretary is not a member of the Indian Civil Service. The office was re-organised about two years ago, and the Assistant Secretary became an Under Secretary; both the Under Secretaries are Assistant Commissioners on the Central Provinces Commission, with an allowance of Rs. 100 a month.

24829. Commissioners here are appointed after sanction by the Government of India, and it is proposed that the Chief Commissioner should have the full rights of appointment?—The appointment of a Commissioner by the Government of India is a formality as a rule. I do not think the Government of India have ever overruled a nomination by the Chief Commissioner.

24830. What is meant when you say that no administrative financial control should be delegated to any officer?—I would give increased sanction in certain petty details. A tremendous lot of cases come up, as to the purchase of books and so forth. But I would not give any determination of budgets, or the power to create new appointments. I refer to purely provincial finance.

24831. Would you allow the Commissioner no freedom, say, in the case of the Public Works?—I would not give him the final settlement of the budget for his division.

24832. Is there any system obtaining here of an allotment being made to a Commissioner for minor Public Works purposes?—Yes, he is given power to sanction works up to Rs. 2,500.

24833. But is a distinct allotment made to him of so much in cash?—Yes, in the Public Works budget. It depends on the division; it used to average about Rs. 10,000 in each division per annum; the Commissioner could spend that as he liked on any works not costing about Rs. 2,000.

24834. You tell us that the connection between the Deputy Commissioner and a District Board should be made closer, and that he should in all cases be *ex-officio* Chairman; is that not so at present?—No. The Chairman is elected and he is generally (but not in all cases) a non-official. It is not so in Berar; there I am not sure whether he is *ex-officio* or whether as a matter of course he is always elected Chairman; but in these provinces the principle laid down is that the Deputy Commissioner if he is to exercise any influence on local self-government should do it from outside and not from inside. As a rule one of his Assistant Commissioners is appointed a member; he may be Chairman or he may be Secretary, or simply a member, but the Deputy Commissioner himself is never a member of the District Council in this province.

24835. What is the result, comparing your experience in Madras, where the District Board always, I think, has the Collector as Chairman, and the system which obtains here?—I am afraid it is impossible to compare the two, because the District Councils in these provinces are more or less of a farce; the money at their disposal is so small that there is no room for anything to be done by them.

24836. How are the funds raised?—There is a cess on land called the Education Cess, and a cess called the Road Cess.

24837. Is any money granted by Government?—Within the last few years the money granted by Government is probably double all the income from other sources.

24838. It is not, as in other provinces, 25 per cent. of the income?—We have given them 25 per cent. of their income as a minimum, but we have also had to give a lot more, otherwise they could not have carried on even the petty work they have.

24839. Is the cess lighter here than in other provinces?—Rather light, I think; it amounts to 5 per cent., whereas in other parts it is one anna in the rupee; but the revenue is so small.

24840. Would it have been better if the Deputy Commissioner had been Chairman?—It would not really have made much difference.

24841. Is such work as is done done fairly?—Yes, but it is purely official; the Executive Officer of the District Council is the President of the *taluk* Board, and the President of the *taluk* Board is a tahsildar, and practically the tahsildar does all the work and spends all the money that is spent, except such as is spent on establishments like hospitals and schools establishment.

24842. Is the tahsildar merely a member of the District Board?—I do not think, as a rule, he is a member of the District Board; he is a member of the *taluk* Board.

24843. And, notwithstanding that, he does the whole of the work of the District Board?—It is done through the Local Board; the Local Board is supposed to be the executive authority for the District Board. There is a Local Board for each *tahsil*.

24844. So that, notwithstanding the fact that the Collector has no connection with the District Board, the whole of the District Board is done by his subordinates?—Yes.

24845. Who themselves are not members of the District Board?—They may be members of the District Board or they may not, but they are members of the Local Board and may be members of the District Board, as well.

24846. Do you ascribe the practical failure of the District Boards merely to a want of income?—Almost entirely, I should say.

24847. Do they work by sub-committees?—They do to a very small extent; practically every penny

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of the District Board's funds is earmarked for some purpose, such as hospitals, schools, and veterinary hospitals, or a few small roads.

24848. Is there any rule which applies to appointments to the Secretariat here; must an officer have had a certain amount of district experience?—There is no rule. The practice is simply the selection of the Chief Commissioner.

24849. Is there any rule which applies to the duration of appointments?—I think not.

24850. A Secretary may stay as long as he likes?—As long as he is kept on; of course it is purely a selection appointment.

24851. Does he stay for an indefinite time in the Secretariat?—In these provinces he does not. Most officers in the Secretariat have had a very good share of district work, and after doing Secretariat work for a time they go back to district or divisional work.

24852. After doing Secretariat work for how long?—I should say three years altogether.

24853. Then they go back to the district for how long?—They may go back to the district until their time comes for promotion.

24854. Would that be six months or a year afterwards?—It may be any time. I should say that as a rule the Chief Secretary is an officer who will be near his time for appointment to be a Commissioner when he leaves the Secretariat.

24855. Does an Assistant Secretary go on to become a Secretary?—No. The Under Secretary is an Assistant Commissioner of about six years' standing; he serves for a couple of years (that is the unwritten rule that is generally observed) as Under Secretary and then goes back to district work; he may stay in the district for the rest of his service and never come back at all.

24856. Suppose a man has been a brilliant success?—Then he probably would come back. If he went out eight years' service he might come back as a Secretary in three or four years' time.

24857. Would he go straight on to a Secretaryship?—No. I should think very rarely; I do not think I could mention any case in which that has occurred here.

24858. What is the practice; does the Secretariat officer go back to district work?—Yes. Secretariat officers come from district work and then go back to it.

24859. The case of a man who spends his service in the Secretariat is practically unknown?—I do not think I could mention any case of that kind.

24860. Do officers go from you to the Secretariat of the Government of India?—Yes, occasionally.

24861. You lead us to believe that transfers are less frequent than they used to be?—Yes, I should think they were. There are a certain number of transfers, especially among Assistant Commissioners, that you cannot avoid, but among Deputy Commissioners we have managed to avoid transfers fairly successfully.

24862. Why is it particularly difficult among Assistant Commissioners?—Probably because our staff has been short for some time; we are about working up to full strength now, but the difficulty has been not only as to the strength of the Commission, but also of the Extra-Assistant Commissioners who are members of the Provincial Service but do the same work.

24863. An officer has at the outset to remain in the country eight years before he gets leave?—Eight years before he gets furlough.

24864. Is that too long a period?—There have been cases in which I should say it was too long.

24865. Does it lead, later on, to ill-health which causes transfers?—Possibly. One comes across so many cases of transfers where men have had to go on leave on account of their health before the eight years, that it would, in a way, be rather a good thing if the period was made less.

24866. Many transfers are consequent upon some officer or other going on sick leave?—That is one cause of transfers.

24867. Other things equal, how long should an officer be kept in a district?—Three years—certainly not less than two years, and three years is about the maximum.

24868. Not more than three years?—No, I should say he ought to be transferred after three years.

24869. We have had a great deal of evidence suggesting that the period should be five years; would that be too long?—I am rather inclined to think it is; I have no particular evidence for saying so

24870. As far as possible, when officers return from leave, are they brought back to the district that they went away from?—If they have gone on fairly short leave, and if they had not been very long in that district before they went.

24871. Within the limits of time that you suggest would it be desirable to bring them back to the same district?—Yes.

24872. There are a certain number of questions which come to you from the Commissioners, and so forth; how many of those questions do you dispose of yourself and how many do you send on to the Chief Commissioner?—About one-third I settle myself.

24873. Could most of those questions be settled by officers below you?—Many of them are questions which, though I can dispose of them in the light of precedents, should come to the Secretariat because they require the advice perhaps of the Comptroller in the Finance Department. Very often what appears to be a very trivial case may be absolutely inadmissible because it is directly against all the account rules. On the advice of the Comptroller one would sanction or refuse without referring to the Chief Commissioner, simply because there was a precedent for it. It does not follow because the Secretary can dispose of such a case that, therefore, powers can be delegated.

24874. Would it not be possible to issue from time to time such general information to the Commissioners as would enable them to decide on the precedents?—No; on the whole the easiest way is to let them come up.

24875. (*Sir Frederic Lely.*) You think that the Chief Commissioner should be able to appoint any Head of a Department except the Inspector-General of Hospitals and the Chief Conservator of Forests. What distinction do you draw between those two officers and the Head of the Public Works Department?—I am not quite certain about the system of recruitment in the Public Works Department, but I believe that it is now supposed to be self-contained, *i.e.*, recruitment in the province to provide for all posts including Chief Engineer.

24876. Is it not on the same footing as the Medical Department and the Forest Department?—I believe the Public Works Department of the provinces is supposed to be recruited for the province; I am not up in the subject.

24877. It is on that assumption that you make this recommendation?—I was not thinking of the Public Works Department at all; I was referring to all the other branches of administration.

24878. You say that the disforestment of reserved forests should not need reference to India. Would that not in some cases mean the abandonment of a policy that has been patiently carried on for 50 years?—Not so far as regards the instances I have seen.

24879. Were those of small areas?—Generally—either land required for cultivation and unsuitable for forest growth, or for the rectification of forest boundaries.

24880. Would you not put a limitation of area upon this recommendation?—The Chief Commissioner would not be likely to sanction anything which would be an abandonment of a general policy. I do not think a limit would be necessary.

24881. Comparing your experience in Madras, would you say that the sub-divisional system in the

Central Provinces is fully developed?—No, it is not fully developed. In these provinces Sub-Divisional Officers still remain at district headquarters; in Madras they have seperate headquarters, not that I think that that is a drawback.

24882. Would you say that there is any further desirable development of the sub-divisional system in the Central Provinces?—I should not be prepared to say that there is.

24883. Generally is each sub-division conterminous with the *tahsil*?—Yes, we have made every *tahsil* a sub-division.

24884. That is to say, every Sub-Divisional Officer has one tahsildar serving under him?—He may have more than one. We sometimes make him a Sub-Divisional Officer of two *tahsils*, but for the purpose of the Criminal Procedure Code and the Land Revenue Code we have made each *tahsil* a sub-division; we may join two together and put them under one Sub-Divisional Officer.

24885. Ordinarily is it only one *tahsil*?—In 80 per cent. of the cases I should think it would be one *tahsil* to one sub-division, with one Sub-Divisional Officer.

24886. Does that not mean either that the Sub-Divisional Officer has too little work, or that the tahsildar has too much?—No; what it amounts to is that the work of the Assistant and Extra-Assistant Commissioners is divided territorially instead of by cases.

24887. But if one tahsildar can do the work of the whole sub-division, does not that seem to imply that that is not quite sufficient for a Sub-Divisional Officer?—But the work that the Sub-Divisional Officer does is not the same work that a tahsildar does.

24888. It is supervision?—Supervision, and a considerable amount of case-work—criminal cases and revenue cases.

24889. Ought not one Sub-Divisional Officer to be able to supervise the work of two tahsildars at least?—Ordinarily he ought to be able to do so.

24890. What is the average size of your *tahsils*; are they too large?—They are, on the whole; they are very large indeed.

24891. Is it more than an average tahsildar can manage?—Many of them are; I should say not all. We have had to appoint a great many additional tahsildars.

24892. The Sub-Divisional Officer does not reside in his sub-division as a rule?—No, the sub-divisional headquarters is his headquarters during the camping season, roughly from the 1st of November to the end of April.

24893. Is there usually at least one bungalow in each *tahsil*?—There is a dâk bungalow, but he could not live in that, and he would not be actually at headquarters; he would be touring in his sub-division.

24894. There is not a bungalow into which he could go whenever he wished to make a journey through his sub-division?—There is nothing but the dâk bungalow.

24895. What are the general rules as to the touring of a Sub-Divisional Officer and of a Deputy Commissioner?—I think the Deputy Comissioner is supposed to spend five months in camp, but there are no rules.

24896. Is there any rule as to the amount of time he should spend in each particular camp?—No. The practice is on the whole to do rapid marching.

24897. Is that a good thing?—I am not quite certain; some men say that it is better to do rapid marching and see as much of your district as you can; other men say you should halt at each camp for four or five days at least, and make visits to all the surrounding country. If you can work it, I am rather inclined to think that the latter is the better system; that is like the Madras system of *jamabandi*.

24898. Is the touring of officers considered a burden by the people?—I do not know that the touring of District Officers is considered a burden; you hear complaint about what they call the *begar* for touring officers, but it is not the District Officers that they complain of so much; they complain rather of the tours of extra officers, like Heads of Departments and all the numerous branches, the veterinary, the agricultural, the excise people and so on; there has been a larger number of Heads of Departments going on tour within recent years, and this means extra camping and extra officers touring in the district. They do object to these officers who do not belong to the district camping in their villages and having to find free rations for their subordinates.

24899. Is the travelling allowance generally sufficient?—I think so, on the whole.

24900. As to the position of the Deputy Commissioner in the district, would you say generally that, pending the orders of Government, nothing in any department should be done in the district which is against his judgment; or would that be going too far?—I do not think it would, if you said "pending the orders of the Government." If the Deputy Commissioner objected to any departmental officer doing anything, I do not think that officer should do it until it is referred to the Commissioner.

24901. If the Commissioner objects it should automatically go to Government?—It should be left undone unless the departmental officer sends it up.

24902. In Public Works matters, you would give the Head of the district more power, on the ground that he takes a non-departmental view, whereas the Public Works Department is actuated entirely by technical considerations?—Quite so.

24903. Is it not a matter of popular complaint that there is a great deal of waste in the Public Works Department?—I have heard that said.

24904. Would you give the Head of the district any *locus standi* in the case of that being alleged about any particular work?—It would be an excellent thing to do so.

24905. He should be allowed to notice it?—At present he certainly cannot. If he heard complaints against the Public Works Department in his district he certainly could not take action unless it was an allegation of a criminal offence; all he could do would be to write to the superior officer of the Public Works Department, the Executive Engineer or Superintending Engineer.

24906. But even that would be considered interfering?—I have met those who might consider it interfering, but, on the whole, I should not say so.

24907. He is not expected to take any formal action at present?—He is not expected to take any action unless he has pretty good grounds to go upon; he could not start an inquiry, for instance, against an officer of the Public Works Department.

24908. But he would be expected to bring it to notice if it came to his knowledge that there was something unquestionably wrong going on?—Certainly; if there is anything wrong it is his business to bring it to notice; the District Officer is supposed to look after things in every department in that way.

24909. Not so many years ago was there not a change in the Court of Wards Act which transferred a good many powers hitherto exercised by the Deputy Commissioner to the Commissioner?—The Deputy Commissioner was the Court of Wards under the old Act, and now the Commissioner is the Court of Wards.

24910. Was that change justifiable?—I see no objection to the change, which, I believe, was due to the fact that there were a great many very junior Deputy Commissioners who did not run their Court of Wards work very well.

24911. Would you prefer to keep it as it is now?—Yes, but I would allow the Commissioner to delegate. Where he is fit to be the Court of Wards, the District Officer should be the Court of Wards for the district.

24912. Would you support the suggestion that the Commissioner should have a separate general

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budget of his own for the Public Works of his division?—I should like the Commissioner either to prepare the budget for his division in the Public Works Department, or to criticise it before it goes up to the Local Government. He could not be allowed finally to pass any budget.

24913. You would not approve of an allotment being made to him for him to budget against?—No, on the whole I should prefer to let him prepare his budget and then let it be criticised at headquarters and so much given as could be given.

24914. Has not Berar special land tenures and a special system generally?—Yes.

24915. There is in the Secretariat a Secretary who has had special experience in Berar?—Yes.

24916. Does he deal with all questions relating to Berar?—No, only with land revenue, but any papers affecting Berar are sent to the special Secretary to look at.

24917. Does he not deal with any other questions connected with Berar?—Any other questions go to the particular department concerned.

24918. Certain suggestions have been made for the curtailment of settlement procedure; what are your views regarding them?—Mr. Miller started it when he was here as Chief Commissioner. When he went to the Government of India he sent down a proposal to alter the procedure and make it more simple; at present it is a very cumbrous procedure.

24919. Are revenue inspectors now appointed by the Director of Land Records?—Yes.

24920. Has the Head of the district no voice whatever in appointments or promotions?—He certainly has a voice; he recommends.

24921. Is his approval necessary, or does he merely suggest names?—I do not think it is laid down that his approval is necessary.

24922. Do you not think that the land records inspector is such an integral part of the administration of the district that it is necessary that the Deputy Commissioner should have a voice in appointments and promotions?—In practice it is undoubtedly necessary. I think a revenue inspector might just as well be appointed and promoted by the Head of the district, but I do not hold the same view with regard to the Superintendent of Land Records.

24923. Have you any further suggestion to make for reducing the number of transfers?—No, I do not think there are any more suggestions to be made.

24924. If a Deputy Commissioner is going away for three months, would you ordinarily appoint to fill his place the man on the spot, irrespective of seniority?—We make a point of doing that where possible.

24925. Would you give local experience precedence of seniority for as much as six months?—We might, but it would be more doubtful; we have often put in an Extra-Assistant Commissioner to officiate for a short period if there is no officer of the Indian Civil Service in the district.

24926. Supposing a Deputy Commissionership falls vacant, and suppose it is well understood that the man whose next turn it is is going on leave in three or four months' time, would you still put him in?—No, not necessarily.

24927. Supposing the appointment falls vacant now, and it is known that the man next for promotion is going on leave in July, would you put him in, or pass him over?—We should probably put him in because very probably there would be somebody coming out about the time that he goes on leave who could be put in his place; it would be a temporary appointment in any case.

24928. What would you say to making it a rule that a man placed in charge of a district should undertake to remain there for three years?—There would be a great many hard cases. I think it would lead to more hardship than good.

24929. You say that examinations ought to be made stricter. How would you stiffen the language examination?—I would make the colloquial test a great deal stricter.

24930. What would you say to making the examinations entirely colloquial?—I would not go so far as that; I think literary knowledge is necessary.

24931. You say you would cut down accounts; do you not think it is necessary that an officer should be examined in accounts?—I would not cut it out altogether. If it could be worked, I would have an examination in accounts and law which should be more or less a practical examination—a *vivâ voce* examination with the books. A man should be given actual cases that have occurred which necessitate a reference to books, and he should be allowed the use of those books, and asked to work out the case.

24932. (*Mr. Dutt.*) In paragraph 14 of the Chief Commissioner's note he says: "In regard to police, medical, education and forests the relation of the Deputy Commissioner with the department is on the whole well maintained because such departments are well established, but there is some slight tendency towards slipping back, and in new branches of administration the requisite touch is still lacking." Do I understand that to mean that the control of the Deputy Commissioner has been relaxed to some extent?—No; what I think is meant is that there is a tendency on the part of a keen Head of a Department to run things through his department rather than through the District Officer.

24933. That means a proportionate decrease in the control of the Deputy Commissioner?—If the Deputy Commissioner allows it. If you get a keen Head of a Department and a keen Deputy Commissioner it may lead to friction, or it may lead to good; it very often leads to friction; if you get a slack Deputy Commissioner and a keen Head of a Department, everything is run by the Head of the Department through his department; if you get a keen Deputy Commissioner and a slack Head of a Department, the Deputy Commissioner gets the whole thing in his hands.

24934. Has there been any alteration in the rules which has taken away some of the control of the Deputy Commissioner?—No, I think not.

24935. What have been the actual results of the new system of working the police according to the recommendations of the Police Commission?—We have only introduced that new system in two districts, Raipur and Drug, and I have no knowledge of either of them; I should say at present it is still "fermenting," and one could not reply one way or the other.

24936. So far as you have seen of the general principles of the system, have some powers now been taken away from the Deputy Commissioner and given over to the department?—I think not.

24937. I mean with regard to the hearing of appeals and the promotion of sub-inspectors and so on?—No.

24938. Has the Deputy Commissioner sufficient control over the police, education, and forests?—Yes; I should say he has less control in the matter of education; that was my experience; I do not know whether it is different now.

24939. Would you recommend greater powers to the Deputy Commissioner with regard to education than he has at present?—Not greater powers, but he should put into practice the powers that he has already. He is supposed to be the chief Educational Officer of the district in administrative matters, as to the establishment of new schools and as to financial control. The tendency was that the inspectors of schools worked rather through their deputy inspectors, and very often, unless the Deputy Commissioner was keen on education work in his district, a lot of things might go on of which he knew nothing; the inspector would do things without letting him know what he was doing, and if the deputy inspector did not let the deputy Commissioner know, he had no means of finding out.

24940. Is the district forest officer a subordinate of the Deputy Commissioner except in technical matters?—Yes.

24941. And the same in regard to the Medical Department?—Yes.

24942. With regard to Public Works, do you suggest that works undertaken each year in the district should be settled with the sanction of the Deputy Commissioner?—Not with the sanction, because he would not have the power of sanction, but on his recommendation.

24943. In his memorandum the Chief Commissioner suggests that village panchayats may be elected by house-holders in the village; at present have you a headman in each village?—There is a *malguzar*; we have no headman; the *malguzar* is the leading man of the village.

24944. You make him the *mukaddam*?—Yes, if he resides there; if he does not reside there he has to appoint a *gomashta*.

24945. Is it suggested that he should be assisted by a number of other men?—That is a very rough outline, and I do not think Mr. Craddock meant it to be as in any way a definite suggestion. I think he would agree that it is practically impossible in the *malguzari* system to have a village panchayat, because the *malguzar* is the man with all the power; all the other members of the panchayat would be his tenants, and what could they say if he disagreed with them?

24946. But there are many villages where there are no resident *malguzars*?—There are a number of villages owned by one *malguzar*.

24947. And in those villages would it be easier to have village panchayats?—Yes; but if they are big villages the *malguzar* would have his local agent, who is just as big a man and sometimes a bigger man than his master.

24948. Then it is suggested that groups of these villages might send members to the Local Board. What is meant by the Local Board there?—The *tahsil* Board—the *taluk* Board.

24949. Is there a Local Board in each *tahsil*?—In every district in which the Local Self-Government Act has been applied there is a Local Board for each *tahsil* and a District Council for each district; there is one district still left in which the Act has not been applied, but we have the system exactly the same as if it was under the Local Self-Government Act—a system of District Committees—which is practically the same thing.

24950. The suggestion is that the Local Boards or the *tahsil* Boards should return members to the District Council?—Yes.

24951. In that way there would a continuous chain of representation from the village to the District?—Yes, we have that system now. The members of the *taluk* Board are elected by *mukaddams* of villages; there are certain groups formed, and they elect a member for a given group; he has to be a *mukaddam* himself; one member for each group makes up the "*mukaddam* members" of the Local Board; then certain members are elected to represent the mercantile interests of the whole *tahsil*, and those make up the local membership of the Local Board.

24952. So that this plan is only an elaboration of the system that already exists?—Just so.

24953. You say that all the District Councils in this province are now under non-official Chairmen?—I do not say, as a fact, that they are all under non-official Chairmen, but they *may be* under non-official Chairmen. Generally they are under non-official Chairmen.

24954. Why do you wish to change that system and make the Deputy Commissioner Chairman?—Because the work of the District Council is work in which the Deputy Commissioner should be interested and he will work a great deal better with his Council if he is a member of it than if he has to exert his influence on a District Council working from outside.

24955. Do not Deputy Commissioners as a rule take sufficient interest in the work of the Council?—I think there is very little to induce them to take much interest in District Council work. I should think he takes less interest than he would if he were Chairman.

24956. Has that ever been brought out in the annual reviews of the work of District Councils?—No, this point is purely my own personal opinion.

24957. So that, when you say that the present work is unsatisfactory, your opinion on this particular point is not corroborated by the reviews of the District Councils' work which are brought out annually?—No, I should not say that it has ever been noticed. The principle laid down in the District Council Manual is that the Deputy Commissioner shall not be a member, and therefore it is not very likely that any annual review would be likely to condemn the system.

24958. Judging from the reviews published from year to year, has the work been as fairly satisfactory here as in the other provinces?—Yes, the work has been all right, not as to local self-government, but simply as to carrying out certain branches of the administration.

24959. We have had evidence before us that if rules are laid down, and if the Accountant-General has to interpret the rules, he cannot make any exception—it is his duty to interpret them strictly?—Undoubtedly; I admit that it would be a difficult thing to work out. My idea is that a Local Government, even a local administration run by a Chief Commissioner, is less likely to be swayed by personal considerations than an officer who may send up a case which might be his own case or might affect him hereafter. He cannot see the question from all sides in the same way as the Chief Commissioner can, looking at it from above. All administrations would probably say the same—that they have had, on occasion, friction on account of the Accountant-General.

24960. So far as the Accountant-General himself is concerned you quite see that he could not possibly interpret rules more liberally in one case than in another?—I quite agree, and also it is very often the case of the personal equation coming in. One man thinks it his duty simply to point out mistakes, and not show how you get out of them, and another man thinks it better to show where you may go wrong or what you could do and to let you know beforehand in order to prevent you making the mistake. Of course you cannot make any rules in regard to such cases; it depends on the personal equation a great deal.

24961. You say that in certain matters the provincial administrations should have power to conduct operations without the previous sanction of the Government of India, and one of the matters you mention is the inception and confirmation of the resettlement of a district. I suppose in resettling a district you have to send the rates proposed to the Government of India for their sanction?—First, you send up what is called an inception report; you say the last settlement was sanctioned for so many years; that time is now expired, and you give your reasons for showing that it is desirable to undertake the resettlement, and not to extend the time of the present settlement. That has to be sanctioned by the Government of India. In it you give a very rough forecast of the probable financial results and of the administrative results.

24962. Then what would be the confirmation report?—That is simply a report sent in generally four years after the settlement is introduced; it is sent up for the orders of the Government of India.

24963. Suppose the Government of India desired to say that the revenue should be 50 per cent. instead of 55 per cent. of the assets, at what stage would they pass that order?—It would be stated in the inception report what rate you proposed, but the actual rate is sanctioned for each *tahsil*. What is called a preliminary report for each *tahsil* is sent up after the Settlement Officer has worked for one year in each *tahsil*, and in that the rates at which the assessment of the holdings is to be made and the rate at which the revenue is to be taken on the assessment are sanctioned for the *tahsil*.

24964. That requires the sanction of the Government of India?—Yes.

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24965. Is it desirable that the Government of India should have the power of sanctioning or not sanctioning, or modifying those details?—The general principles upon which assessments have been made have been so clearly laid down now that it is hardly necessary for the Government of India to retain the power of sanction in regard to details; I do not think, for instance, that the local administration would desire to go above the rates that it has already taken.

24966. The rate has not been fixed definitely?—It has not been fixed definitely, but the standard at which you should aim has been laid down as 50 per cent. of the assets.

24967. It varies very much?—Yes. I have known it to go down as low as 35 and to go up as high as 65.

24968. Do you not think that the Government of India should have some control as to the particular rate to be fixed in assessing revenue?—It does not make much difference, except that it means a long report sent to the Government of India beforehand. I do not think that necessary, because the principle of aiming at a 50 per cent. revenue on assets is recognised; it has been laid down by the Government of India; and that is the standard at which we aim in each succeeding settlement. But the actual figures to be taken in any individual village will depend on the figures taken at the last settlement. For instance, we may find one village at 35 per cent. and another village at 80 per cent.; at a new settlement we should probably raise the 35 per cent. village to 40 or 45, and reduce the 80 per cent. village to 60.

24969. There again would you require the sanction of the Government of India?—No, that does not require the sanction of the Government of India; they do not come in with regard to the details of the assessment, but the total for the *tahsil* must not be exceeded.

24970. Your settlement is based on the soil-unit system. Who generally works out that system?—The Settlement Officer.

24971. One of your proposals is that power to make rules under section 162 of the Land Revenue Act should not need the previous sanction of the Government of India. Who framed the Act?—I fancy it would be framed by the Government of India.

24972. If it was framed by the Government of India should not any alterations in the Act require the sanction of the Government of India?—Of course this would need legislation in the Viceroy's Council. As a matter of fact I have looked up that question since, and so far as I can make out, there is no necessity ever to make any rules under section 162, because in practice all the rules are made under separate sections.

24973. There are four Divisional Sessions Judges in this province now. Do all sessions cases from the different districts go to the Divisional Sessions Judges for trial?—Yes.

24974. And all the appeals from First Class Magistrates in all the different districts have to go to them for hearing?—Yes, except appeals in cases disposed of by the District Magistrate under his special powers; those go to the Judicial Commissioner.

24975. Your munsiffs here belong to the Subordinate Service? What pay do they get?—They used to get Rs. 100 rising to Rs. 200; we have just had the Service reorganised, and they now get Rs. 150 to Rs. 250.

24976. They do not belong to the same class as Deputy Collectors?—No, they correspond more to tahsildars.

24977. Does the Sub-Divisional Officer dispose of most of the criminal cases in the sub-division?—He disposes of all first class cases, and when he is an Assistant Magistrate, he is often given appellate powers, and disposes of appeals from Third Class and Second Class Magistrates.

24978. Does that put the parties to some inconvenience in following him about?—No, rather the reverse, because in the camping season he would be in camp anyhow; if his work is confined to one *tahsil* the parties would have less distance to go.

24979. Can he always arrange so as to take up a case as near the village as possible?—That is one of the ideas.

24980. Can he, in fact, carry that out?—Yes, I think so.

24981. Is the system of the Sub-Divisional Officer staying six months at the headquarters of the district convenient for the people of the sub-division or would it be more convenient if the Sub-Divisional Officer resided in his sub-division?—I suppose it would be probably more convenient for the people if he resided in the sub-division.

24982. You say that it would be desirable, in some cases at least, to increase the number of *tahsils*?—We are increasing them; we have increased one here and one there, and no doubt in the course of the next ten years we shall probably divide up three or four more *tahsils*.

24983. The tahsildars dispose of all the petty cases?—They are Second Class Magistrates as a rule, and they also dispose of certain revenue cases.

24984. Has the tahsildar got a *tahsil* treasury?—Yes.

24985. Are daily or monthly balance sheets sent from the *tahsil* treasury to the district treasury direct?—A daily account is sent.

24986. It does not go either through the Sub-Divisional Officer or the District Officer?—No, it goes direct to the district treasury.

24987. At present you have got a patwari in each village?—Not in each village.

24988. You have a sort of *mukaddam* in each village?—Yes.

24989. Is the *kotwar* the servant of the village?—He is the village watchman. He is the servant of the village; he is paid by fees from the villagers.

24990. I understand that an officer is likely nowadays to become a Deputy Commissioner after about eight or ten years service?—In the Central Provinces in the present state of the *cadre* an officer will not become a Deputy Commissioner until he has had eight or ten years' service; we have men at the present moment who have had eleven years' service who have not had charge of a district.

24991. During that period, to some extent, he is in training for the position of Deputy Commissioner?—Yes.

24992. (*Mr. Hichens.*) Would it be a sound thing that he should spend a small portion of that time in another province or provinces?—It would be a good thing in many ways; of course there are difficulties about the language.

24993. For example, has the varied experience that you have had in Madras and here been of advantage to you?—In many ways having been in Madras has been an advantage to me here.

24994. If a junior officer went, let us say, to Madras for a year, he might not be much use to Madras, and perhaps one would not send him there on the assumption that he would be, but when he came back here the experience he gained there might be of advantage to him here?—Undoubtedly.

24995. And the fact that he was not learning the language of the Central Provinces would not make very much difference to him in the long run?—That is so.

24996. Would you advocate that?—I do not think I would, because I do not think it would be workable; you would have an enormous number of men lying idle.

24997. Would it be possible to do it in regard to a certain proportion?—It might be possible.

24998. If you did it on a large scale, it would mean increasing your staff very much, and it would not be worth while?—Just so.

24999. What is the average size of your districts here?—About 4,561 square miles.

25000. How does that compare with Madras?—I should think it is about the same on the average.

In the Central Provinces our big districts are half jungle. My first experience in Madras was in South Arcot; that was about 5,000 square miles; it had eight *taluks*, a land revenue of 42 lakhs, and a population of over two millions.

25001. You say that District Boards are very badly off at the present time and ought to have more money; have you any suggestion to make as to how they are to get more?—One suggestion is that we should abolish our provincial Roads Department. Practically all our roads, that are roads at all, are managed by the provincial Public Works Department. I do not know how much they cost; I suppose they cost about 20 lakhs every year. Communications is a thing that is best left to local self-government. Of course if these roads were transferred it would mean handing over a certain sum of money from the provincial revenues to the Local Boards to spend. We could not increase the income of the District Boards by raising our local cesses, because in order to get a reasonable sum you would not have to fix your rates at something like 25 or 30 per cent. on the land revenue, and the people would not appreciate that at all.

25002. Your suggestion would be that you should apportion the money, which is to-day spent by the provincial Government on roads, amongst the District Boards?—It might be possible to do that; it would mean doles, of course, which is not a satisfactory system.

25003. Would it be possible, or desirable, to give them some definite proportion of the land revenue?—That would be a matter to be worked out if the principle were accepted. I should not care to give any definite opinion. It should be possible to work it out.

25004. At any rate, you think it is desirable?—There are one or two matters besides roads that might be transferred; which instead of being a provincial activity might be a local activity.

25005. You think their funds should be increased?—If their work is to be made real, their funds must be increased.

25006. Suppose you took roads away from the Public Works Department, what would they have left?—They would have buildings, and they have the beginnings of an Irrigation Branch; it is quite a small matter at present started as protective irrigation merely.

25007. Buildings do not amount to much?—No.

25008. Buildings would hardly be a source of friction between the Deputy Commissioner and the local Public Works Department?—Not usually; they are sometimes.

25009. So that your difficulty as to the relations between the District Officer and the Public Works Department would be got over if you had that change?—Yes. Of course it would mean a great reduction in the provincial Public Works Department; the staff necessary for keeping up the roads would be paid by the Local Boards, as it is in Madras. On comparing the two, I should say that the roads, on the whole, are more cheaply and better kept up in Madras by the District Boards than they are here.

25010. At the same time, if you gave increased powers and an increased money grant to the District Boards, would it not be desirable that the District Officer should be more closely associated than he is to-day?—I think so.

25011. And possibly under those conditions it would be more readily accepted by the people as a reasonable arrangement?—I think so.

25012. In paragraph 20 of the Chief Commissioner's note he says that returns are largely increased by questions in the House of Parliament, and that one of the means of reducing the returns would be if the questions could be curtailed there. Have you any reason to suppose that there are any definite classes of returns that would not be given but for those questions?—I could not say. One has a general impression that a question is asked in Parliament and that information is called for, and that the return is made more or less a permanent one afterwards, and that in that way many returns have been introduced.

25013. You cannot put you finger on any one, much less a number?—No; that is the general impression one gets from reading the returns that one has to sign.

25014. Are the powers of the Chief Commissioner substantially different from those of a Lieutenant-Governor?—They have been gradually approximating more to those of a Lieutenant-Governor; they have been widened; I do not suppose they are quite as full.

25015. There are certain appointments which a Lieutenant-Governor can make which a Chief Commissioner cannot make?—The only ones I can think of are those I have mentioned; the Director of Public Instruction may possibly be appointed in other provinces, and also Commissioners, but I could not tell you what the powers of a Lieutenant-Governor are.

25016. For all practical purposes has the Chief Commissioner been given the powers of a Local Government?—Practically, yes.

25017. You say, "The system of divided heads, where the expenditure as well as the revenue is divided, results in inconvenience, whenever any unlooked-for expenditure is necessary, as it is difficult to find any other imperial head from which re-appropriation can be made"; is that the only objection you have to make?—I think that is about the only one.

25018. Is it a very serious one?—No, but it is rather annoying to have to go up for sanction. You may have, for instance, a very large saving in your provincial budget, but suppose you want to spend an extra Rs. 50,000, Rs. 25,000 of which is imperial, you can meet your Rs. 25,000 in the provincial budget from your own balance, but you have no head from which you can meet the Rs. 25,000, the imperial share, and you have to write for sanction. I believe that these divided heads are divided not so much from administrative as from financial reasons, and that therefore there would be no harm in treating them on exactly the same level as purely provincial expenditure.

25019. But in itself it is merely a question of writing a letter to the Government of India and getting sanction?—That is practically all it is.

25020. Which may not necessarily occur more than every now and then?—Quite so.

25021. You say that in some cases the powers of the Chief Commissioner seem to be unnecessarily limited in regard to the grant of certain allowances. Have you thought out at all how far you would be prepared to go in giving the Chief Commissioner further powers?—I have not thought out any details; one or two questions have occurred which seem to me to necessitate rather trivial references to the Government of India.

25022. Would you be prepared to give him unrestricted powers?—No, you would have to lay down principles, general restrictions, within which he could sanction.

25023. It would not do to lay down a general principle and let him carry that out?—It would have to be laid down fairly strictly, because there is rather a tendency to sanction allowances.

25024. To sanction allowances which should not be sanctioned?—Not necessarily that, but one does not know what is done in other provinces.

25025. Does it much matter what is done in other provinces?—I think it might. Take the case of a branch like Hospital Assistants, who are recruited on an imperial basis. You give a Hospital Assistant a personal allowance, which is not given in any other province; it might mean agitation all over the rest of India, to get similar allowances in other provinces. They are paid on the same scale in every province.

25026. Is there any particular reason why they should be?—I cannot say, but there are general orders of the Government of India as to the scale

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of pay of Assistant Surgeons and Hospital Assistants.

25027. Your idea is that there are certain details (which you have not thought out) which might be amended, but that the general rules should still be maintained?—Yes.

25028. (*Mr. Meyer.*) You have told us that the Madras Collector has more power than the Central Provinces Deputy Commissioner; will you say, very generally, in what respects?—I should say that his powers as a Revenue Administrative Officer are wider.

25029. You mean in matters like the suspension and remission of revenue?—Yes.

25030. Do you think that the Central Provinces Deputy Commissioner might be levelled up to the position of the Madras Collector?—I think not. As we have got a Commissioner, there are many powers which should be left to him which the Collector exercises in Madras.

25031. You say that the Commissioner has less power than the Madras Board of Revenue. Might you not, as a measure of decentralization, give the Commissioner here powers corresponding to the powers of the Board of Revenue in Madras, and give the Deputy Commissioner powers corresponding to the powers of the Madras Collector?—I should prefer to give the power to the Commissioner, and leave him to give extended powers to his Deputy Commissioners, if he thought them fit to exercise those powers.

25032. He might give them to Smith and not to Jones?—He might.

25033. Would that not be invidious?—I think not. You might have a very junior man and a senior man; the senior man might be very unfit to exercise the powers, and the junior might be a good man.

25034. Do you and the Chief Commissioner desire to make this differentiation depend upon length of service or on the personality of the officers?—Rather on the personality of the officers.

25035. Then would that not be invidious, and become unworkable in practice?—I suppose it is invidious, but one officer would not necessarily know what powers were delegated to another.

25036. Do they not meet here at Nagpur occasionally?—They may.

25037. Might it not be more feasible, if you have a distinction, to make it depend on length of service—to give more powers to a first grade Deputy Commissioner than to a second grade Deputy Commissioner, and so on?—It might be; I do not see that necessarily it should be; a third grade Deputy Commissioner might be a better man than a first.

25038. The question arises whether when you have a man of long service who is a Deputy Commissioner and who is not fit to have powers, he is fit to be a Deputy Commissioner at all?—That is the question.

25039. Would you be prepared to face that, and to remove these inefficient men, assuming that you could give them a fairly liberal pension?—There is something to be said for the proposal. The selection should be made before he is appointed. If a man goes on and he is superseded once or twice, and he is still found to be unfit to be a Deputy Commissioner, he should be made to retire.

25040. You think that a man who is not fit to be a Deputy Commissioner should not be appointed when the permanent vacancy comes; he will have had his chance in the way of acting appointments, and when he is next for a permanent appointment you would pass him over and retire him?—Yes; it would not be necessary to retire him at once, directly he is passed over; I would give him another chance, but eventually he ought to be retired.

25041. You may get a man in as Deputy Commissioner; he is quite good at the time, but later on he goes to pieces; would you be prepared to retire him then?—It is rather a difficult question to answer. It is a case that one would be very unwilling to take up without very strong reasons.

25042. You would be prepared therefore, if you had your way, to make this personal differentiation of powers?—I would make a personal differentiation of powers, and of course put the less efficient man in some small district.

25043. Is that not a loss of power to the Public Service?—Undoubtedly it must be.

25044. You would prefer that to the trouble to the department that would be created by turning out X on a proportionate pension?—I think one would be inclined to prefer it.

25045. You mentioned that it was contemplated to have a Financial Commissioner in this province. Will that decrease the powers of the Commissioner at all?—No. He will get his powers by delegation from the Chief Commissioner, not by annexation from the Commissioners.

25046. There has been some discussion as to the method in which the Financial Commissioner, if appointed, will do his work. Are you prepared to say what the ideas of the Chief Commissioner are on the subject?—The proposal originally made was that the Financial Commissioner should be a sort of member of the Administration; that he should dispose of cases in the name of the Administration; that he should not have a separate office, but that cases should be sent up by the Secretaries to the Financial Commissioner, the only difference being that he, as Financial Commissioner, will be able to give hearings in final appeals, which the Chief Commissioner is unable to do. That was the original proposal. I could not say how exactly it stands now, but the Government of India were inclined rather to fancy the Financial Commissioner as a separate officer from the Chief Commissioner, having a man with a separate office and a sort of extra link put between the Chief Commissioner and the Commissioner. I believe a compromise of those two positions has now been recommended.

25047. There was a Secretary of State's despatch on the subject, which asked for a further expression of opinion from the present Chief Commissioner; are you in a position to tell us what is the opinion of the Chief Commissioner?—The case is at present with the Chief Commissioner; it is being discussed in connection with the position of the Financial Commissioner with regard to excise.

25048. Was not one solution recommended that the Financial Commissioner should have the same Secretariat as the Chief Commissioner but should send up cases to him unofficially?—Yes.

25049. Is that the suggestion that holds the field now?—Yes; he would issue orders as Financial Commissioner.

25050. He would have a double function; he would be a Financial Commissioner and issue orders as such, but in matters in which the control of the Chief Commissioner was necessary he would become, so to speak, the Chief Secretary to the Chief Commissioner?—Yes.

25051. Are your Sub-Divisional Officers generally on the same plane as in Madras as regards their powers?—They have considerably less powers.

25052. Do they take the ordinary appeals from tahsildars in revenue matters?—None of them have been given powers to take appeals in revenue cases. In criminal matters some of them have been given appellate powers, but not the majority.

25053. Therefore, as regards all the revenue work, and most of the criminal work, the appeal lies straight from the tahsildar or subordinate Magistrate to the Deputy Commissioner; is that necessary?—I think it is a good thing; it keeps the Deputy Commissioner in touch with everything that is going on in his district.

25054. Does it keep the Sub-Divisional Officer equally in touch with his tahsildars?—Tahsildars have very few powers of disposing of cases in these provinces; even the simplest little revenue cases are sent up by the tahsildar for the orders of the Sub-Divisional Officer.

25055. In Madras, in most of those petty cases, the original orders stop with the Sub-Divisional Officer, though there may be an appeal to the Collector?—There are appeals here in all revenue cases.

25056. But can the Sub-Divisional Officer pass an original order as freely as he can in Madras?—I should say rather less; there are many cases go to the Deputy Commissioner which would be disposed of by the Sub-Divisional Officer in Madras.

25057. Would you be prepared to give the Sub-Divisional Officer larger powers?—I should say he might be given larger powers.

25058. But you do not desire to make him an appellate authority over the tahsildar?—No.

25059. Is it not likely that as time goes on the Deputy Commissioner will get overburdened with these appeals?—The tendency, with the increase of work, would probably be that way.

25060. Are appeals here, like everything else, increasing?—I have not got the figures.

25061. Anyhow, there would not be so many here as in Madras?—Not now. Most of the Assistant Commissioners and Extra-Assistant Commissioners after they have passed their departmental examinations are invested with the powers of a Deputy Commissioner under the Land Revenue Act; there are certain powers which are reserved for the Deputy Commissioner of the district, as distinct from the powers of a Deputy Commissioner.

25062. Is this power of taking appeals direct from tahsildars and so on one of the functions which are reserved by the Act for the Deputy Commissioner, but which the Deputy Commissioner can delegate if he chooses?—I rather think that those are kept by the Deputy Commissioner of the district by law. The matter is a very small one, because tahsildars have no original powers; they are reporting officers.

25063. Are there not a number of cases which might be delegated to the tahsildar?—Yes, mutations of proprietary rights, and things of that sort.

25064. In revenue matters there are generally two appeals at least, that is to say, from the Sub-Divisional Officer to the Deputy Commissioner and from the Deputy Commissioner to the Commissioner?—From the Sub-Divisional Officer with the powers of the Deputy Commissioner to the Commissioner.

25065. Skipping the Deputy Commissioner?—Yes.

25066. You think that the Deputy Commissioner should hear those appeals?—Yes.

25067. Is it necessary to go on with the second appeal in questions of fact. I am speaking of revenue and other administrative cases?—It is quite possible that it might be better to exclude appeals on questions of fact.

25068. At present, practically, every original action by a Sub-Divisional Officer is liable to appeal to the Commissioner?—That is so.

25069. Is not the Commissioner rather swamped with details in that way?—He receives a lot of appeals on petty matters, which are generally rejected summarily.

25070. You mention some original matters which even a Deputy Commissioner cannot dispose of now, such as the sale of land in execution of decrees; what exactly do you mean by that?—That is where land is attached by the Civil Court and ordered to be sold either in execution of a decree or in pursuance of some order; that has to be transferred under Section 320 of the Civil Procedure Code to the Collector; but under the rules we have made in these provinces, all such cases go to the Chief Commissioner.

25071. What is transfer of *sir*?—*Sir* land is the home-farm of the proprietor of a village—of the *malguzar*; it is land in which no one can acquire tenancy rights if he leases it out.

25072. In all these matters and in partitions you think the Deputy Commissioner should be able to decide, subject of course to an appeal by an aggrieved party?—Yes.

25073. Are these matters fixed by your Land Revenue Law, or are they simply by the practice which has arisen and which could be altered?—The transfer of *sir* cases is a matter that was introduced into the law in 1898 when the Tenancy Act was amended; the power of sanctioning transfers of cultivating rights in *sir* land were given to the Chief Commissioner by the Act; it would necessitate an amendment of the Act in order to give the Deputy Commissioner the power.

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25074. You spoke of the increase of work in the Secretariat; is not that very largely due to this tremendous centralization in relatively petty cases?—I think some of it may be.

25075. Are you in favour of giving the province a separate *cadre* for forests, that is to say, enabling the Chief Commissioner to appoint his own Conservators, instead of having them appointed by the Government of India?—We have been ordered by the Government of India to make our proposals for giving the province a separate *cadre*, which is to include Chief Conservators and Conservators.

25076. Similarly, in the Public Works Department, at present you can appoint your Executive Engineers, but you cannot appoint your own Superintending and Chief Engineers; the Government of India appoints them. Do you think the Public Works *cadre* is big enough to be self-contained, and to let the Local Government appoint, perhaps getting in a Chief Engineer from outside?—I should think it was.

25077. Are your conferences of Commissioners attended by the Heads of Departments and by Secretaries?—Yes.

25078. Are they ever attended by non-officials?—No.

25079. Would that be a good thing?—Yes; if any case came up in which non-officials could be interested, it would not be a bad thing, but it is not very easy to secure their attendance.

25080. Why does not the Chief Commissioner preside at these conferences?—As a rule we have meetings at which Heads of Departments (if they are concerned), the Commissioners and the Secretaries all attend; they discuss the case, and then at the end the results are taken before the Chief Commissioner and we have a conference with him.

25081. So that you have two conferences instead of one?—We have one day or a couple of day with him, and give him the results of all the conferences that have been held during the week or ten days.

25082. Might it not be better that the Chief Commissioner should attend when any important matter has to be decided, so as to get into touch with his heads of Departments and Commissioners?—I think he would probably obtain that from private conversation with each of them.

25083. Having private conversations with a series of men is rather different from having a general discussion across the table?—It would interfere enormously with his work if the Chief Commissioner had to attend the conferences.

25084. You see no other objection?—No.

25085. You are against giving the Commissioner an allotment which he could spend on Public Works; at the same time, you are prepared to go a good deal further, because you are prepared to break up the provincial budget in the case of roads altogether, and make it all over to the District Boards, that is, mainly to the Deputy Commissioner. If the Deputy Commissioners could deal with these allotments for roads, *a priori* could not the Commissioner deal with them?—Yes, but there are a lot of other things besides the budgets; I argue in favour of making the roads local from an administrative, not from a financial, point of view.

25086. But assuming the present conditions to continue, why should not the Commissioner be able to decide what roads within his division should be taken up?—There is no particular objection to it.

25087. You are prepared to have it done at headquarters; does not that mean a general scramble, and that the Commissioner who is ready first, or

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who has got the most plausible pen, may get an advantage over other Commissioners?—That is more or less always the case, but I understood the question to have relation to the preparation of the budget—whether each Commissioner should be given a lump sum and apportion it between roads, buildings, and everything within his division, or whether the budget should be prepared and sent through the Commissioner, and that when the total amount is known it should be allotted according to the urgency of the works in the different divisions.

25088. The proposal would be that each Commissioner should have a certain amount which would be spent in his division, and that then there would be necessarily a certain balance at headquarters to be allotted at the discretion of the Chief Commissioner?—You might do it in that way; you must retain a certain balance as well, because you might find that one Commissioner could not utilise the whole of his allotment and another Commissioner might utilise more.

25089. But assuming that you must keep a balance at headquarters for emergencies and for the most important works, you see no objection to the rest being distributed amongst divisions and the Collector getting power to sanction works? He has 5 lakhs, say; out of that he says, "I am going to allot Rs. 50,000 to road A, Rs. 80,000 to road B, and Rs. 30,000 to such and such a building." Of course the engineers have got to prepare the plans and check the estimates; do you see any objection to that?—On the whole I should prefer the final allotment to be left to headquarters.

25090. You say you would not like to give to Commissioners any power of creating appointments; does that extend to temporary appointments as well as permanent appointments?—There is no harm in having a lump sum given to them each year and letting them make temporary appointments—ministerial appointments, for instance.

25091. But you would not give them power to make permanent appointments?—No.

25092. Speaking generally, what you would like to do would be to give them larger powers in revenue matters?—A few larger powers; I do not think there are so many ways in which their powers could be extended.

25093. Have they any power of remission?—No, only suspension.

25094. No revenue, however small, can be remitted except by the Chief Commissioner?—That is so.

25095. Is that not very undue centralization?—Perhaps it is. I would give powers of remissioin to Commissioners in what are called local calamities.

25096. Definite principles have been laid down by the Government of India in what are called the Calamity Rules as to the amount of suspension, and possible remission, which shall follow a proportionate loss of crops. Subject to those rules, is there any reason why you should not give your District Officers and your Deputy Commissioners fairly large powers?—No, I do not see any objection to it.

25097. That is as to revenue both on dry and wet cultivation?—We have no distinction here; our revenue is based on the assessment of the *malguzar*.

25098. In Berar it is raiyatwari?—Yes; there they have nothing but dry.

25099. Who appoints tahsildars and naib-tahsildars?—The Commissioner appoints naib-tahsildars and tahsildars up to three months. They are made permanent by the Chief Commissioner. They are on a provincial list.

25100. Is there any objection to letting the Commissioner appoint the tahsildar?—That is a question that has been discussed often, and the general opinion is that it is better to keep them on a provincial list. You have a larger selection, and a larger field of proportion.

25101. And at the same time you have a much larger number of transfers; you get a man sent from one end of the province to another?—Not very often; you sometimes transfer a man from one division to another, and then you leave it to the Commissioner to post him.

25102. In Madras the tahsildar spends his time in his district as a rule. Is it not rather important that the tahsildar should have minute local knowledge?—It is.

25103. Nevertheless you would not even put your tahsildars in a divisional list?—I think it works very well as at present.

25104. Does the Commissioner post Assistant or Extra-Assistant Commissioners?—No, the Chief Commissioner posts them, but the Commissioner is always consulted.

25105. Might he not post them within his division?—It is done sometimes; we sometimes post them to a division and tell the Commissioner to post them as he likes.

25106. Might not you extend that?—Yes, I see no harm.

25107. As regards the extension of magisterial powers, everything now has to come up to Government? Subject to general conditions as to fitness, and so on, would you allow the Commissioner to confer magisterial powers?—Yes, I do not see any strong objection. The cases are nearly all treated as routine when they come up; they are nearly always gazetted as a matter of course.

25108. Similarly as regards your appointments of local bodies, are they gazetted by the Local Government?—They are inserted in the Gazette, but they are sanctioned by the Commissioner.

25109. Does that work satisfactorily?—Yes.

25110. Generally speaking, what powers has the Commissioner in regard to municipalities and District Boards; does he pass their budgets and their administration reports?—He passes their budgets, receives their administration reports, reviews them, sends their reviews to the Local Government, and with regard to the Councils he is given most minute powers of sanction.

25111. Is there much that comes up through the Commissioner?—There are a good many cases come up to the Local Government.

25112. Can you tell us generally of what description?—I have not seen anything of Local Boards work for some time. I think both Commissioners and Deputy Commissioners might have much larger powers.

25113. Do you have many petty cases under the Land Acquisition Act?—Yes, numbers; they are often very petty—an acre, and that sort of thing.

25114. Might the Commissioner deal with those?—When I first came here practically everything had to go up to the Local Government; now where cases come up to the Local Government there are certain rules as to the multiples of the land revenue to be given as compensation; if you get a multiple exceeding 30 or 25 times the land revenue it needs the Chief Commissioner's sanction. There are certain rules laid down and, within those rules, the Commissioner sanctions compensation.

25115. I was not speaking so much of compensation as of the preliminaries required to take up the land; you have to get at least two notifications?—One as a rule; section 4 does not usually come in.

25116. In regard to these petty areas might not the Commissioner take the place of the Local Government?—I see no objection at all to that.

25117. As regards your District Boards, how is it that they are so poor; they get the land cess, as in other provinces—only slightly lower?—They get 3 per cent. for roads and 2 per cent. for education.

25118. Your District Boards are absolutely relieved from the charge of roads, except small roads, and they do not do much outside work except schools and

medical relief; why is it that they are so impoverished?—The amount is very small—5 per cent. on a revenue of 80 lakhs; it is not much.

25119. And also, of course, your assessments are not as large as they would be in Madras?—That is so, and we do not get the whole of the assessment; and then we only get 50 per cent. of it.

25120. I understand that the planting of trees on the high road, and so forth, have been taken away from the local bodies?—I believe there have been some other orders lately, but local bodies used to do it along their own roads and the Public Works Department did it along the Public Works roads.

25121. Who pays for the rural schools, the primary and middle schools, that the District Board maintains?—The District Board.

25122. Does it also manage them?—It manages through School Committees.

25123. In what relation do the District Boards stand to the *tahsil* Board; is it the same as in the case of the *taluk* Boards in Madras?—No, the District Board is supposed to be an advisory and consultative body, and the *tahsil* Board is supposed to be the executive body, but in actual practice, the amounts of income and expenditure being so small, the District Board is not only advisory and consultative but also executive; they practically give no power at all to their *tahsil* Boards.

25124. The District Board gives information to the *tahsil* Board—"We have sanctioned so much for schools in your *tahsil*, now you look after them and see that the money is properly spent," and the same with regard to sanitation?—Yes.

25125. Is that a good system?—The amounts, if you distribute them over the *tahsil* Boards, would be so very small; it has always been the policy to try and give more powers of financial sanction to *tahsil* Boards, but that is the difficulty.

25126. Do you want a solemnly elected District Board for that sort of thing; if you take the *tahsil* Boards as subordinate to the District Boards, is it necessary to have an elaborate machinery for them?—It is hardly necessary, but there is the Local Self-Government Act.

25127. You cannot make any material alteration in your Famine Code without reference to the Government of India?—No.

25128. Is that a good thing on the whole?—I do not think the Government of India would be likely to object to any alterations that we wanted to make; perhaps we might be left with power to do it ourselves.

25129. Would you be in favour of general principles as regards famine relief operations being laid down by the Government of India, but that the details of the Code might be left to the provincial Government?—Yes.

25130. Do your District Officers require any more powers as to the granting of agricultural loans?—The maximum limit perhaps might be increased; it is Rs. 1000 now.

25131. Is there any ground for giving tahsildars and Sub-Divisional Officers larger powers?—Their powers might be increased too.

25132. The laws that are current in the Central Provinces are notified for Berar also?—Yes; some are not, but most are.

25133. So that you are working under a uniform law in the provinces?—Yes.

25134. But it is a very cumbrous procedure. You have to issue a double set of rules, one under the Act itself, the other under the Act as applied to Berar?—Yes; I will give you an instance; we want to abolish the central jails at Amraoti and Akola because there are not enough prisoners in them to justify the retention of a central jail; the long-term prisoners under that arrangement will be transferred to Nagpur; for the transfer of every prisoner from Amraoti and Akola to Nagpur there will have to be an order of the Inspector-General of Prisons; without that no prisoner can be committed from Berar to Nagpur.

25135. Therefore if any plan could be devised without offending political susceptibilities to obviate this, it would be desirable?—Of course, that is the difficulty.

25136. Do you have many transfers of officers between Berar and the Central Provinces?—We are now transferring members of the Commission more freely; the first two or three years we sent members of the Commission there for training and so on; now a lot of members of the Berar Commission are on leave, and we are sending two Central Provinces officers to officiate as Deputy Commissioners.

25137. In view of the differences of language and differences of law and practice, to some extent, and the difference of tenure, is it advisable to make these transfers frequently?—No; frequent transfers would not be good; if you send a man from Berar to the Central Provinces you must leave him there long enough to pick up the Central Provinces land revenue system.

25138. How long would you leave him there?—Probably four or five years at the very least.

25139. You would not transfer him more than once or twice in his service?—As we go on and get Assistant Commissioners who have had experience of both provinces there is no reason why they should not be transferred a little more frequently. I would not like to say that a man because he is sent down as Assistant Commissioner to Berar shall stay in Berar for the next ten years, or that if he ever gets transferred back to the Central Province he shall end up in Berar, any more than I would put it the other way.

25140. They would get to know the language?—You have Marathi spoken in Nagpur as well; Marathi is not very well known; there are only two or three men in the province who really know it.

25141. It is also a little bewildering to a man to be constantly moved between a raiyatwari and a zamindari area?—Yes; on the other hand he also learns a lot of useful things from seeing both systems at work.

25142. You say here, "There is no reason, now that the provinces have a regular financial settlement of their own, why the provincial budget should be subject to detailed criticism and alteration by the Finance Department of the Government of India." Is it subject to detailed criticism and alteration?—I believe so.

25143. Have you had much experience that way?—When I was doing the Financial Secretary's work we used to have a lot of correspondence with the Comptroller about the alterations made; I think they were simply account alterations—estimating.

25144. The alterations made were in the interests of accurate estimating?—Yes.

25145. And as a matter of fact were they not justified?—Yes, I expect they were generally.

25146. For instance, taking the last year 1906-07, the provincial expenditure was estimated by the Local Government at 192 lakhs; the Government of India cut it down to 189½ lakhs; as a matter of fact it was only 180 lakhs. There are similar figures for other years. The fault of the Government of India, if there was a fault, was that it did not cut more?—One knows that there is a lot of inaccurate estimating.

25147. You say the Chief Commissioner should be allowed to pass his own provincial budget. Do you mean that in these matters the Government of India should accept the Chief Commissioner's figures without question?—It would not do any harm.

25148. Would not the estimates be out more than they are at present?—I think the tendency would be eventually that more accurate estimating would be made by the provincial Government.

25149. The present system is one of divided heads largely?—Land revenue, excise, income-tax, stamps, and forests are divided.

25150. In all these matters the Government of India take half the receipts?—Yes.

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25151. Therefore, if your figures are wrong, it not merely affects the provincial surplus, but it materially affects the imperial surplus, and taking figures which are inaccurate might lead the Government of India into serious embarrassment?—It might.

25152. You do not stand alone; there are seven other provinces to deal with. Therefore, as long as the present system continues from that point of view the Government of India must check estimates in which they are materially interested?—No doubt.

25153. You propose that the present divided heads of expenditure shall become wholly provincial; you do not think the present system particularly inconvenient?—No.

25154. You mentioned a case in which you wanted Rs. 50,000 more for forests, and because it was a divided head you said you could find the provincial half, but there was a difficulty about the imperial half; surely it is the same in land revenue?—Not with regard to expenditure.

25155. But there are other divided heads?—Yes.

25156. And there are imperial divided heads which you administer?—Yes.

25157. Is there any difficulty in your finding the required balance?—We did not do it in the particular case I have referred to.

25158. You have come up to the Government of India in times past for these re-allotments which were not really necessary?—I believe we have.

25159. Suppose to meet this inconvenience you had all the expenditure provincial, you would require a certain larger share of revenue to meet your liabilities?—I suppose we should slightly.

25160. Would that not lead to friction again? As to your excise, for instance, suppose you have undertaken considerable expenditure, that the whole of that expenditure fell upon you, but the Government of India shared the enhanced receipts which arose from that expenditure; would not there likely to be some feeling about that?—There might be later on; that was why I threw out that suggestion about dividing the net income only.

25161. Take small figures; your revenue is Rs. 100, your expenditure is Rs. 60; at present the Government of India gets half of the Rs. 100, that is Rs. 50; it bears half the expenditure, that is Rs. 30, and it gets a net receipt of Rs. 20; how do you propose to manage?—I would make the Rs. 60 provincial, and divide the balance of Rs. 40 half between imperial and provincial.

25162. Still, if your expenditure had caused you to largely increase your receipts, you would feel that the Government of India was getting an unearned increment?—I do not think so, any more than it would now.

25163. Your expenditure, say, is Rs. 100, and your receipts, thanks to that expenditure, go up to Rs. 200, so that there is a surplus of Rs. 100 to be divided; the Government of India take Rs. 50; would you not say that that was rather hard when you had found the whole of the expenditure which resulted in that increased receipts?—But, first of all, the extra expenditure has been deducted.

25164. However, is it worth while to upset the present system in order to do this?—It is simply a suggestion.

25165. Is it a suggestion to which you attach any great importance?—No.

25166. Now, you have told us that the Accountant-General cannot relax things for the Local Government: what exactly do you mean?—There might be possibly some alterations of the rules that might be passed; I expect it would be rather difficult to work out; but one has had what one rather regards as trifling objections.

25167. You say here, "Certain posts in the Commission are listed for officers of the Provincial Civil Service, but sanction has to be obtained"; surely that is not altogether correct?—Sanction has to be obtained.

25168. Is it not only when a man is appointed permanently as a Deputy Commissioner or Judge?—Those are the posts I refer to; the listed appointments.

25169. Your position is that when an appointment has been listed, that is, taken away from the Imperial Civil Service, the filling of it ought to rest entirely with the Local Government?—Yes; any recommendation of the Local Government is always accepted.

25170. You say that any change would require the sanction of Parliament; could it not be done by rules made by the Secretary of State?—I was under the impression that it was under the Indian Civil Service Act; I am open to correction on that point.

25171. You are at present restricted in regard to these listed posts to officers of the Provincial Service? It might happen that for a judgeship you might want a man who was not an officer of the Provincial Service, an Indian *vakil*, perhaps; ought the Local Government to have power to appoint there?—Yes, I think so.

25172. That is a similar case?—It is not quite a similar case, I think; it would be a case possibly of giving dissatisfaction to the members of the Provincial Service. Perhaps it would not be advisable in that case, unless you distinctly listed that the office was open to members of the Bar; then of course they would know what they were liable to.

25173. I understand that education is actually under the Deputy Commissioner, that is to say, the education met from provincial funds, as well as the education met from local funds?—Yes.

25174. Primarily, middle and vernacular education is under Local Boards and municipalities, and secondary education is under Government control?—Yes.

25175. In both cases the Collector is the supreme authority?—He is supposed to be; he actually is not.

25176. You say he has the deputy inspector of schools as an assistant; is he as subordinate to the Collector as the district forest officer is in non-technical forest matters?—He is quite subordinate; he is actually a member of the district office staff.

25177. I gathered from your answer that you thought there was a change going on and that he is not quite so subordinate now as he used to be?—He is subordinate, but the tendency is rather for the inspector, who is a circle officer having five districts, to administer the schools through the deputy inspector without reference to the Deputy Commissioner.

25178. The idea of appointing him was that he should be a purely inspecting officer?—Yes, and he is rather inclined to an administrative officer.

25179. If in his inspection he found anything that was wrong he could bring it to the notice of the Deputy Commissioner?—Yes.

25180. (*Sir Steyning Edgerley.*) Which schools do you refer to—the higher schools, secondary schools or primary schools?—The vernacular, the middle, and the primary schools; the high schools are not under the deputy inspectors.

25181. In many cases you suggest that there should be delegation of one sort and another, and a good deal of it you suggest should be based on personal considerations of the officer who is to receive the power. At the same time you suggest that whenever that touches an Act, the delegation of power should be made by special legislation. I do not quite understand how you would work that; is it not almost impossible?—Yes, I suppose it would be.

25182. Is there any advantage in special legislation over a general Act, which requires prior notification of intended delegation?—I do not really see any particular advantages.

25183. Do you think that a general Act which insisted on prior notification of the intention to delegate would practically come to the same thing?—I should think it would.

25184. And you would have no objection to that?—No.

25185. You say that you have started the reorganisation of the police in two districts?—That is, the system of having no others than sub-inspectors in charge of stations.

25186. Have you broken up your old stations?—Yes; we have abolished out-posts and increased the number of stations.

25187. What is the average area under a police station?—I think it runs about 200 square miles to a station in those districts.

25188. Has it led to an increase of the force in those two districts?—Yes.

25189. For the rest of your province you have not yet worked out the figures?—I cannot say whether it has been introduced within the last month, but it is certainly being introduced in three other districts.

25190. Have you got the increase necessary for the whole province worked out and sanctioned?—Yes; you mean the final ultimate scales for the whole police force?—That has been sanctioned. It was worked out by the Inspector-General on an examination of each district.

25191. What was the whole increase of expenditure in the province?—I think it will ultimately work out to about 13½ or 14 lakhs.

25192. And you have got that money promised you?—We shall get most of it from the Government of India; we have received, I think, 8½ lakhs.

25193. Was there any difficulty in getting that through; did you get the officers you wanted for each of your stations?—That is the reason why it has to be done gradually, one district at a time. There is the difficulty of getting men.

25194. But did you get the Government of India's sanction to the strength you wanted?—Yes; there was a considerable amount of discussion with the Government of India on the staff we were to get, more especially about sub-inspectors; we asked for more than they were prepared to give; then they gave us a few more; I fancy that the numbers they have fixed will do us very well.

25195. And as to constables and head constables?—I am not sure whether we did not reduce the numbers in those two grades.

25196. One of your Deputy Commissioners says that "the Deputy Commissioner's acquaintance with the outlying parts of his district is less thorough than it used to be, partly because the work has increased of late years, partly because the present low rate of travelling allowance does not permit him to tour in reasonable comfort without loss of money"; do you agree with that second reason?—I know that personally I have always lost on my travelling; the rates are very illogical at present; you have an Assistant Commissioner who has just arrived in the country; he goes about by himself with a couple of small tents; he gets precisely the same rates as a man of twenty years' service, with a wife and family; that must be obviously illogical.

25197. The latter man, even apart from the fact of his having a wife and family, would necessarily be supposed to travel in a more dignified manner?—He has larger tents, and so forth. But I do not think you can call the travelling allowance rates unfair; they are certainly a great deal better than they were in Madras.

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25198. Several of the officers here have suggested that the Government ought to give loans to assist in the liquidation of the debts of encumbered estates; they cannot give loans at present?—I think not.

25199. Are the owners of these encumbered estates men of fair position?—You have a lot of men of quite good position, and you get a lot of men very poor.

25200. Men whose position it would be a political advantage to keep up?—Undoubtedly.

25201. And you cannot do it?—No; rather, you have to do it in various ways.

25202. Another suggestion that has been made is that the Local Government ought to have power to guarantee feeder lines of railway or small loans for small Public Works, and it is said that the result of having to trust to the Government of India for money is that, though these are shown to be remunerative, they are always crushed out by more imposing schemes; the suggestion is that local interest might find money which might not be attracted by the loans of the Government of India; is there anything in that?—I should think there are possibly cases in which that might be true.

25203. You say that generally speaking you are not in favour of the Local Government going in for that sort of work?—No, I do not think the Government of India has ever shown a disposition to refuse loans where they have been shown to be necessary, and the Government of India would probably get the money more cheaply than the Local Government could.

25204. (*Chairman.*) Do you receive from the Commissioners their annual administration reports?—Yes.

25205. Are they as a rule very lengthy documents?—They are certainly long; they are just coming in now; I should say they generally run to about 10 or 20 pages of print.

25206. Are they compiled by the Divisional Officers?—Each Commissioner compiles his own, and compiles it from reports received from the District Officers.

25207. Are they confined to land revenue?—Yes; of course there are reports in other branches, but what is called the annual report is the annual report on the administration of the land revenue.

25208. We had it suggested that it would be much better compiled by the Commissioner himself from his own notes, than it would be by a series of reports from each District Officer?—I do not think so; as a Deputy Commissioner I should much prefer to write my own administration report for my district, than to have my Commissioner do it for me.

(*The witness withdrew.*)

Mr. G. S. HART was called and examined.

25209. (*Chairman.*) You are the Conservator of Forests in the Southern Circle of the Central Provinces?—Yes, I have also served in the Punjab.

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Provincial Governments should be given extended powers as regards the creation of new appointments and the enhancement of salaries. I do not think it advisable to permit provincial Governments to alter in any way the number or pay of Imperial Service Officers or the pay of Provincial Service Officers, though it should be possible for the Government of India to deal with this latter subject on the representation of Local Governments without any further reference to the Secretary of State. But it should be possible for the Local Government to increase the number of appointments in the Provincial Service and to make the necessary redistribution among the grades of that Service. Again the Local Government should have an absolutely free hand in dealing with the Subordinate Service. If it finds that it requires increases in that Service, or regrading in order to compensate for unduly slow promotion or an increase in the pay of the lowest grade in any class in order to induce men of the desired stamp to enter the Service, the Local Administration should be empowered to deal with these matters, without any reference whatever to higher authority.

It is not necessary to give the Heads of the Forest Department any particular increase in financial powers as regards the creation of new

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appointments or the enhancement of salaries. Conservators have already received powers to appointment of temporary establishment subject to budget provision and within limits defined. In a few cases these limits might be expanded, but that is a matter which can probably be arranged direct with the Local Administration without difficulty.

I do not think that in their dealings with the Forest Department the Government of India are dominated by considerations of immediate increases in revenue. On the contrary in reviews on provincial Forest Administration Reports the Government of India have continually urged on Local Governments the importance of spending money on the improvement of their forest estates by the provision of better roads and of adequate buildings for the staff, etc.

It is of great importance that the Inspector-General of Forests in his dealings with the Forest Departments of the various provinces should remain an advisory officer and should not be given administrative powers. He can never be very intimate with the conditions affecting forest work in provinces other than those in which he may have himself served recently and to give him administrative powers might tend to these conditions not receiving sufficient attention.

There can be no question that most of the recent administrative reforms which have affected this department, such as the appointment of Chief Conservators, the increase in the pay of Imperial Service Officers, and the proposed corresponding increase in the emoluments of the Provincial Service, grant of increased powers, etc., have been due to the initiation of the Government of India.

It is not desirable to limit the right of appeal to the Government of India either in respect to administrative action or to orders affecting officers personally, nor am I in favour of limiting the existing right of appeal to the Local Administration either in respect of administrative action or in respect of orders affecting officers personally. The existing orders permit of all subordinate officials appealing once to the authority immediately superior to the officer who passed the order. A right of second appeal to the Local Administration is granted only to subordinates drawing Rs. 50 per month, or more than this salary.

I have only two small matters to note as regards the grant of extended powers to Commissioners of divisions regarding matters of general administration. It has come to my notice that persons applying for licences to prospect for manganese complain of the great delay that occurs in disposing of their applications, and I think that the power to grant exploring and prospecting licences might be delegated to the Commissioners of the divisions, applications for mining leases only going to the Chief Commissioner. The second point is one in connection with the grazing rules in force in these provinces. The rules provide for the charge of commercial rates to professional cattle-breeders, or in exceptional cases where grazing is of special value. The Commissioner and Conservator in consultation can fix the classes to whom such rates shall be applicable, but they cannot fix the rates without the previous approval of the Chief Commissioner. The Commissioner and Conservator might very well be left to settle this matter also.

I have not found that the Secretariat in these provinces is either impersonal or too much dominated by considerations of revenue. On the contrary, the Local Administration is decidedly generous in all matters connected with forest administration and improvements.

The officers of the Forest Department have ample opportunities for personal contact with the people, as they spend some two-thirds of each year in camp. Naturally they are principally brought into contact with the villages situated near the forest and with the forest tribes; their knowledge of the vernacular is generally good.

The staff of the Forest Department is notoriously inadequate in the executive and subordinate branches. But schemes for the reorganisation of the Imperial and Provincial Services and of the Subordinate Service are now under consideration. No general reduction in the area of forest divisional charges is necessary at present, though in the course of time it may be advisable to split up one or two of the present forest divisions.

I do not think that transfers among Forest Officers are unnecessarily frequent, though they are unhappily numerous. Thus, since 1900 there have been five changes of Conservators in this circle, excluding privilege leave vacancies. One method by which transfers could be reduced would be to rule that an officer retained a lien on his appointment during any absences on leave not exceeding six months, instead of the present limit of three months. Since the grant of the privilege of combining leave the practice of taking six months' combined leave is almost as common as former absences on three months' privilege leave.

25210. You are responsible for about 6,700 square miles of forest?—Yes.

25211. How many circles are there in the Central Provinces?—Three, including Berar.

25212. How many district forest officers has each circle?—About seven; there are seven in this circle, and I think there are seven or eight in the Northern Circle.

25213. You are under the control of the Chief Conservator?—Yes; we have the Chief Conservator over the three Conservators.

25214. Who prepares the working plans of forests?—The Divisional Forest Officers under the control of the Conservator.

25215. The forest working plan comes up to you and you check it?—It is prepared entirely under the Conservator's supervision by the Divisional Officer.

25216. You submit it to the Chief Conservator, and he submits it in turn to the Inspector-General?—Yes.

25217. Is all that detailed examination necessary?—It is a good thing that the Inspector-General should see the working plans.

25218. How much service have you as a Conservator?—Two years. I have been in the Service just over twenty years.

25219. How much service will a Chief Conservator here have?—He has about 27 or 28 years.

25220. But he has no power to sanction any forest working plan, however small?—No; he has no power of sanction; the Local Administration sanction the working plans; the Inspector-General merely advises the Local Administration.

25221. The Local Administration cannot sanction until after the Inspector-General has approved?—No; working plans have to go through the Inspector-General.

25222. Might there be some limit of size of area which the Chief Conservator might approve, in place of the Inspector-General?—Personally I am in favour of all working plans going to the Inspector-General; of course, it depends entirely on their size; now we are generally bringing them out for the whole of the forest division together, and it is a good thing that they should go to the Inspector-General.

25223. Do you think that that gives the Chief Conservator or the principal Conservator, as the case may be, a full sense of responsibility, if he has no authority of approval?—He can criticise the Conservators if he chooses.

25224. Do you think that he experiences a full sense of responsibility for a plan when he never has the final approval of it?—Possible he does not; my own opinion is that plans should go to the Inspector-General.

25225. You think that an officer does feel a full sense of responsibility and takes the fullest possible care in preparing his plans?—Certainly a Conservator does; he is absolutely responsible that the plan is drawn up in accordance with his approval; the Conservator is absolutely responsible that he does not send up the plan until he approves of everything in it.

25226. Are there any alterations of the working plans submitted by the Inspector-General?—There

have been, but as a rule there are not many alterations.

25227. Does it cause much delay in sending up these plans to the Inspector-General?—No; unless he refuses to sanction them altogether and sends them back; in the ordinary way it does not cause more than two or three months' delay.

25228. Does he often send them back?—No; I have known one or two cases in which the Inspector-General has sent them back and altogether refused sanction; he generally just suggests minor alterations. There is one thing in which the action of the Inspector-General is quite unnecessary, that is, in regard to what are called control forms; that is, details of the work and description of the work; these forms at present have to be filled up by Divisional Officers and sent to the Conservators and passed by them, then they go to the Chief Conservator and then to the Inspector-General; they might be left to the Conservator entirely; they need not go further at all; the present procedure gives most unnecessary trouble.

25229. Have you any reason to believe that the Inspector-General of Forests interferes in any way administratively in your department?—I do not think he can possibly.

25230. Do you think that he attempts to do so?—Since I have been here I have known of no cases of his attempting to interfere.

25231. You think that on the whole the kind of advisory work that he does is good and necessary work?—Very.

25232. You tell us that the Government of India are not very much dominated by immediate increases in revenue; do you lay any stress on the word "immediate"?—No; I did not intend to lay stress on the word; they are fully prepared to spend money on forest improvements. All these improvements are aimed ultimately at an increased revenue; the more we open up the forests with roads and buildings, the more we are able to work them and the better revenue we get.

25233. You do not think the Government of India are inclined to schedule areas which have been left open and which are of no use as forests?—No.

25234. You think that the powers in connection with exploring and prospecting licences might easily be delegated to Commissioners?—That has been done recently.

25235. You say that quite lately the financial and administrative powers of yourself and the Divisional Forest Officers have been extended; in what direction?—Larger powers in connection with promotion and dismissal of establishment, and larger financial powers generally.

25236. Are those general powers given throughout the country or only in this province?—They are general powers throughout the country, under the Forest Code.

25237. When were these orders issued?—In the last two or three years Government has been gradually increasing the powers.

25238. Do you think any further expansion is desirable; who appoints the forest rangers, for example?—If the rangers are trained at the Imperial Forest College they are appointed direct by the Conservator; if they have not been trained there, or if they have only taken what is called the lower certificate, they must put in a certain number of years first, and then the Conservator can appoint them. If they are men who have not been trained at all, who have gradually risen from the ranger's grade, they are appointed by the Chief Conservator; I think that is fair.

25239. Who posts the Divisional Officers?—The Local Administration. The Chief Conservator advises.

25240. Might the Chief Conservator have power to post?—I do not see any reason for giving him the power of posting; the Chief Conservator may be an officer who has hardly served in the Central Provinces at all.

25241. Are these Divisional Officers posted on the recommendation of the Chief Conservator?—You mean transferred to different districts, yes; that is done on his recommendation if the Local Government agrees with him.

25242. Does the Local Government often interfere?—I could not say; the question of posting does not come through me at all.

25243. Have you any power as Conservator to transfer any of your subordinates?—Anybody except a Divisional Officer or a Gazetted Officer; I cannot transfer a Deputy Conservator without asking the Local Administration.

25244. Is it desirable that you should do that?—Yes, I think so as regards officers doing the work of an assistant in a division; I do not mean Divisional Officers; but it would be very improbable that Government would refuse permission to transfer a man.

25245. Practically you do transfer them now, although nominally it goes through Government?—Yes; it is unlikely that they would object if one said that one wanted a man transferred.

25246. On the whole do the forest rules, or rather the administration of the forest rules, cause dissatisfaction among the people?—No, not on the whole. Certainly in the Punjab, in the hills, where I have put in most of my service, there is very little dissatisfaction, and very little cause for dissatisfaction; down here, of course, there is perhaps more occasionally.

25247. Is corruption among subordinates noticeable?—I should say not more noticeable than in any other service where you have subordinates left, as they often are, entirely to themselves.

25248. What is the pay of a ranger?—He begins at Rs. 50 a year after coming from the school; my own opinion is that that is too low; a man goes to the school generally with a stipend of Rs. 50 paid by the Government while he is there, and he comes out and gets the same pay; it is very difficult at present to get anything like good men.

25249. Are the forest guards corrupt?—Not more so than any other men in the same position; I would not guarantee their honesty at all, but I do not think they are worse than anybody else.

25250. Would they deliberately produce infringements of the forest rules or allege infringements of the forest rules in order to make money?—They are very likely to do so if they are not looked after. You have a man on 6 or 8 rupees a month, he has considerable power of giving trouble, and if he is not looked after he will probably take advantage of that power.

25251. You say transfers of Forest Officers are very frequent?—They have been certainly rather frequent down here; that is mainly caused by men going on leave or falling sick.

25252. How long do you think an officer ought to be retained in a circle or in a division?—Not less than five years, and probably not much more.

25253. You say that some of the difficulties of transfers have arisen from the practice of taking six months' combined leave; will you tell me what you mean?—Transfers would be less if an officer who only took his six months' combined leave did not thereby necessarily lose the charge in which he was at the time.

24254. Cannot they bring him back to the same charge?—They could if they wished to, but an officer who takes simply three months' privilege leave comes back to his charge as a matter of course; if he takes six months, the chances are that he will not come back to his charge.

25255. If the Chief Conservator had a free hand in the posting of his subordinates, would he not post an officer back after he returned from six months' leave?—It depends how long he had been in the charge.

25256. It has been said of the Inspector-General that he deals mostly with technical matters?—The Inspector-General of course is purely an advisor of the Government of India, and he does not interfere

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in the administration of the province at all until he is asked for his opinion; in the matter of working plans everything goes to him.

25257. You have not found him intervene in anything except technical matters?—No.

25258. Do you find that the increased powers which have been given to you lately have increased your work?—Certainly not; they save a certain amount of reference to the Government of India and Local Government.

25259. Is there any difference between a Divisional Forest Officer and a Deputy Conservator?—A Divisional Forest Officer may also be an Assistant Conservator; a Deputy Conservator, under the recent reorganisation, depends entirely on the length of service; a man may be, and generally is, in charge of a forest division before he becomes a Deputy Conservator.

25260. It is nothing to do with his work?—No; it simply denotes that he has a certain length of service.

25261. Do you think that the accounts that Forest Officers have to keep are very complicated?—It is very difficult to say; we have been trying to cut them down; they are not very complicated; they are troublesome.

25262. Are they unnecessarily complicated?—I do not see how you could keep up the check that you must keep without them. It might be possible to simplify them a little, but I do not think you can do very much.

25263. Has any attempt been made so to simplify them?—We are always trying to cut down unnecessary forms and things of that sort. I do not think any definite attempt has been made.

25264. Do you regard the Forest Code as altogether satisfactory?—Yes, I think so; it is a most unfortunate occurrence that although it has only just been issued it is full of addenda and corrigenda; it is very difficult to find anything in it.

25265. But apart from that you do not think that the instructions laid down in it are too detailed?—Of course they have to apply to every part of India. I do not know of any portion of the Code which I should like to cut out.

25266. What language did you learn in the Punjab?—Urdu and Punjabi.

25267. (*Sir Steyning Edgerley.*) Do those carry you through here?—They carry me through with all the subordinate establishments.

25268. Has the transfer from province to province made your work very difficult here?—It did at first, certainly, not now.

25269. How long did you feel it?—The first six months.

25270. Can you communicate easily with the people of the forest villages and so on?—Not personally, no.

25271. Is that not a great handicap?—Not in a Conservator's work.

25272. Were you here before the Chief Conservator was appointed?—I was here for about eight or nine months before he was appointed.

25273. What change in procedure has it led to?—It means that upon certain things in which you previously addressed the Local Administration as Conservator, you now address the Chief Conservator, and he either disposes of them himself or sends them on to the Local Administration. The Chief Conservator's work is largely connected with the Secretariat.

25274. Helping and advising the Local Administration on forest cases?—Yes.

25275. What was the arrangement before?—Each Conservator went up direct to the Local Administration, and they passed orders.

25276. It means simply that they have got a headquarters consultative officer?—That is it.

25277. Have they delegated much control to him?—Yes, they have delegated a good deal to him.

25278. And in consequence of that you have less to do with the Commissioner than you used to have?—No, it has not interfered in any way with one's connection with the civil officers.

25279. What is a Conservator's connection with the Commissioner of the division?—All matters as regards grazing and concessions and things of that sort in connection with the people go either through the Commissioner or through the Deputy Commissioner to the District Forest Officer, or come from the District Forest Officer through the Commissioner and Deputy Commissioner.

25280. If you have to send up a case, to whom do you send it?—Directly to the Secretary to Government.

25281. Not to the Chief Conservator, or the Commissioner?—Certain things go to the Chief Conservator; the majority of the things go direct to the Local Administration, and they consult the Chief Conservator if they wish to do so.

25282. You have no correspondence with the Commissioner at all?—I have if I want it, but I have no regular correspondence with the Commissioner; I do not suppose that the Commissioner either sends to me, or I to him, 50 letters in a year.

25283. The Divisional Forest Officer is an Assistant Conservator?—Either an Assistant Conservator, a Deputy Conservator, or, if a member of the Provincial Service, and Extra Assistant or Extra Deputy Conservator.

25284. Does all his correspondence go through you?—No.

25285. You have schedules A and B dividing the correspondence?—I do not know; I have not served as a Divisional Officer in these Provinces.

25286. Have you got them in the Punjab?—No; in the Punjab the Forest Officer in all matters in which the people are connected works through the Deputy Commissioner. In all his own work he works through the Conservator, and that is practically the custom here.

25287. We were told that in the Bengal Presidency and in Upper India the correspondence which a Forest Officer has with the revenue authorities or with his superior technical officers is divided into schedules A and B, so that he knows exactly where to send each class of correspondence?—I can only say I have never heard of them; they are certainly never used in the Punjab.

25288. You refer to free grants to village communities; is that settled by the Commissioner or by the Chief Conservator at present?—Up to a certain limit it is settled by the Conservator direct; beyond that limit you go to the Chief Conservator, and beyond that again to the Local Administration.

25289. On whose recommendation?—On the recommendation of the District Forest Officer and the Deputy Commissioner; all that sort of thing would come through the Deputy Commissioner.

25290. The Deputy Commissioner has no power?—He does not sanction himself.

25291. Nor the Commissioner?—No, it would come straight through the Deputy Commissioner to the Conservator.

25292. Then really in forest matters the Deputy Commissioner and the Commissioner are merely advisory officers of the Forest Department?—Certain correspondence goes through them; they do not issue any direct orders here in forest matters.

25293. Not even about the privileges of the people?—The privileges of the people are governed by the orders of the Local Administration once and for all; they are entitled to certain privileges.

25294. I was speaking generally of these free grants?—The Deputy Commissioner would not sanction free grants of forest produce, however small.

25295. Nor the Commissioner?—As far as I know, no.

25296. Matters of that sort are either sanctioned by the Conservator or by the Local Government, and the subordinate revenue authorities have no power at all beyond advice?—That is so.

25297. What is exactly "the annual plan of operations"?—That is an annual plan of working drawn up in connection with the budget.

25298. It is a sort of estimate of what has to be done for the following year?—That is so, project by project; that again would come through the Deputy Commissioner.

25299. Has the Divisional Forest Officer, when that is sanctioned and the money allotted, complete power to work it out during the year?—He must apply for sanction for any work which exceeds his own powers.

25300. He can sanction up to Rs. 200 capital expenditure?—If he wants a building which is going to cost Rs. 2,000 or Rs. 2,500 or anything of that kind he has to send in plans and estimates. At the time of the plan of operations he simply puts down a rough estimate that he wants to do such and such a work at such and such a cost; that is approved, and he then proceeds to deal with it in detail.

25301. Does the Rs. 200 limit give him enough discretion?—I think it is rather small. I would raise it to Rs. 500.

25302. Would it be desirable for the Divisional Forest Officer's accounts to go direct to the Comptroller of Forest Accounts?—They do. They go straight to the Comptroller; the produce forms and copies of certain things that go to the Comptroller come to the Conservator, generally a little later.

25303. It has been suggested by a Forest Officer of this Province that the accounts should go straight to the Comptroller; do you know what that means?—I do not, considering that the accounts are sent straight to the Comptroller now every month.

25304. It has been said that since this last settlement money has been much more freely allotted to forests which it is possible to open out; to what does that refer?—It means that Government is giving the Forest Department much more money to spend than they did before.

25305. Have you any idea what the cause of that is?—Government has got more money to spend I fancy.

25306. There is nothing special?—No, administration is improving, and therefore Government is more inclined to be generous.

25307. It is suggested that it might possibly have something to do with the division of the receipts between the Government of India and the Local Government under this last settlement; have you heard of anything of that sort?—I have not.

25308. (*Mr. Meyer.*) You say that since the appointment of a Chief Conservator, Conservators are no longer classed as Heads of Departments; does that mean that the Conservator has been reduced in any way as regards his powers?—No, not as regards his powers, but Conservators are no longer, for instance, in the front portion of the quarterly Civil List as "Heads of Departments"; their powers are still the same.

25309. There are various financial powers that have been granted to Heads of Departments?—They have been generally granted to Conservators too.

25310. Generally speaking, the Chief Conservator has not robbed you of any authority?—No; it was distinctly laid down at the time the Chief Conservator was appointed that the appointment was not to have that effect.

25311. I understand that the Conservator has full power in regard to the posting of rangers?—Absolutely.

25312. The only subordinates you cannot post are Assistant Conservators and Extra-Assistant Conservators?—Yes.

25313. It has been suggested that in provinces like this and Burma, where there is a considerable forest staff, the Local Government should have the power, which the Madras and Bombay Governments possess, of appointing their own Conservators; would you be in favour of that?—No, certainly not. It would be extremely bad for the men they have got; they would not get the same chance of promotion among themselves.

25314. The promotions allowed up to the grade of Conservator are on a time scale?—The time scale would be the same, but I am talking of promotions of the grades of Conservator.

25315. You have a fairly large forest *cadre* here?—Not very many, if you consider.

25316. I think you have more officers here, or almost as many, as in Bombay?—We may have more shown in number, but the Government of India has got four or five of them.

25317. You think you have not enough men to run a *cadre* of your own?—No.

25318. You would object still more to the Local Government appointing the Chief Conservator of Forests?—Yes; I think it is distinctly for the good of the department as a whole that all the Conservators' and Chief Conservator's appointments should be kept under the Government of India. It is distinctly advisable that the men should occasionally get a little experience of work in other provinces, instead of passing the whole of their service in one province; I am speaking of course of Forest Officers.

25319. Is there any difference between the pay of Conservators here and in other provinces?—Absolutely none.

25320. Has the present system led to a certain number of transfers from and to the Central Provinces; you tell us that there have been five Conservators in your own circle since 1900, more than a year apiece; do you regard that as a satisfactory system?—No; but then in two cases (it was an unfortunate year) it was caused by men going sick and having to go; and in one or two other cases it was because the men's time was up and they retired.

25321. As far as you have had the opportunity of studying it, do you think that transfers of Conservators in the Central Provinces have been more numerous than in the Punjab?—I know they have been more numerous than in the Punjab; that is due to the unfortunate fact of men being rather liable to go sick here.

25322. It has also been suggested that the Central Provinces, in regard to these establishments, is rather treated as a dumping ground for men who have nearly completed their service?—That is not so in the case of the Forest Service.

25323. Do you see any necessity for having a uniform Forest Code for all the provinces?—No.

25324. Might it not be advantageous for each province to have its own Forest Code?—It would be quite feasible.

25325. You have said that a great deal of the matter in this Forest Code does not deal with this province at all?—I did not say that; I said that there was no part of the Code, so far as I know, that I was desirous of cutting out.

25326. Are there a whole lot of matters in the Code in which there is uniformity prescribed, in which uniformity is not really needed?—In the accounts question you cannot very well have different systems of accounts in the different provinces. A large portion of this book is accounts, management, and working-plans; those must be the same; then, organisation of the Forest Department; that is the same all over India. I really do not see why you want separate Codes; we have one Code, and then we have separate Forest Manuals which deal with provincial questions. I say it is feasible; I do not say it is advisable.

25327. You prefer the Code as it stands?—I should much prefer the Code as it stands to going to the bother of creating new Codes for each province.

25328. Is it necessary that that uniformity should go right down to the ranger; is it necessary to have absolutely uniform district returns in each province?—We have certain returns here which are unknown in other parts of India; in connection

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for instance with the license and stamp system here; this is the only place where we have this license and stamp system; that entails sets of forms which are unknown in northern India. That is not referred to at all in the Code; the Code refers only to general matter.

25329. Things that you think ought to be uniform?—Certainly, if every province was allowed to have its own forms and returns of output of timber, fuel and so on, it would lead to endless confusion.

25330. You run up to 75 forms?—Yes; many of them are annual.

25331. You think that all those forms are required and ought to be uniform throughout the whole of India; are you prepared to stand by the whole 75?—There may be a certain number that might be cut out, but taking them all round there is nothing much to grumble about in them.

25332. You say you hold that it should be possible for the Local Government to increase the number of appointments in the Provincial Forest Service and make the necessary redistribution amongst the grades of that Service. How high can a Provincial Service Officer go?—At present he can go to Extra-Deputy Conservator in the first grade, about Rs. 600 a month; we have not got anybody here drawing that pay.

25333. At present the Local Government is hampered by the fact that it cannot raise or create an appointment above Rs. 250?—That is so.

25334. If you got the recent power of sanction of the Government of India of creating an appointment up to Rs. 500 and raising the pay to Rs. 750, that would give you all you want?—Yes.

25335. You would not want any special concession with regard to Forest Officers?—No.

25336. (*Mr. Hichens.*) You mention free grants for village communities; are those free grants of forest produce?—Yes. Here it refers to occasions on which villages are burnt; they very often are; then they get a free grant of as much stuff as they require to rebuild; they have their ordinary concessions as regards grass, grazing and their ordinary daily requirements.

25337. Is it the policy here to set aside a certain portion of land for the villagers?—The villages down here are nearly all *malguzari* or zamindari; the *malguzar* always has a quantity of land attached to the village cultivation. That was done at the time of the first settlement. The main idea at the time of the first settlement here was that they would give the people sufficient land with the cultivation for the exercise of their daily requirements, and that then they could take the rest absolutely free of rights as reserved forests for Government. So that there are far more *malguzari* lands and zamindari forests than Government forests.

25338. The amount of Government forests is strictly limited?—Yes.

25339. Have you any experience of those parts of the Central Provinces where Government forests exist as opposed to zamindari?—You have them side by side everywhere.

25340. Is sufficient land set aside for the purpose of the village communities?—If they have not got sufficient of their own, Government always gives them such concessions as they may require in the Government forests.

25341. You have never heard complaints that they have not got sufficient for their own purposes?—They have not sufficient to graze all their cattle; you cannot give them sufficient to support the whole of their cattle. Throughout the whole of the year they can graze in the forests round about the villages; then they move off and graze in Government forest when they want to; as a matter of fact they have got through a lot of the areas that were given to them by expanding cultivation and by cutting down jungle and selling it.

25342. (*Mr. Dutt.*) When they graze in a Government forest do they pay a grazing fee?—Yes.

25343. That is separate from what you charge for thatching grass and so on?—Yes.

25344. You say that the waste lands round villages are not sufficient for grazing all the cattle which the villagers have?—I say that, because I presume that if it was sufficient they would not come to the Government forests, and they do come to the Government forests.

25345. Are petitions for further grazing land common?—There is no such thing as petitions; if they want to graze on Government forest they take out a license; if you gave the people sufficient forest to graze the whole of their cattle, it would mean that you would have nothing left; if you permitted uncontrolled grazing everywhere you would soon have nothing left.

25346. Under each Conservator you have some seven divisions; are these divisions the same as the revenue districts?—Not always. Generally one revenue civil district is a forest division; but sometimes you have one forest division including two revenue charges, or parts of two revenue districts.

25347. You say that many of the reports which the Divisional Forest Officer has to send up are sent up through the Deputy Commissioner?—A certain number of them.

25348. Besides that has the Deputy Commissioner any other kind of control over the Forest Officer, not in technical matters but in matters relating to the people?—In matters relating to the people the Forest Officer is simply the assistant of the Deputy Commissioner.

25349. But you say that the Deputy Commissioner does not pass any orders; he simply passes on the report of the Forest Officer to the higher authority on any matter in which the people ask for privileges or have any complaints to make?—That was in connection with free grants; the Deputy Commissioner does not pass any orders about free grants.

25350. But there are other matters in which the Deputy Commissioner has power to pass orders?—I can only say that, in all matters connected with the people, under the rules the Forest Officer is the assistant of the Deputy Commissioner; I have never served here as a District Forest Officer.

25351. In all these matters the Deputy Commissioner either passes orders or sends them on with his remarks to the superior authorities?—Yes.

25352. I suppose most of the large forests in this province are reserved forests?—They are all reserved forests; there is nothing else.

25253. You have no unclassed forests?—No; we have a certain number of what are called B class forests, which are set aside for cultivation as population increases. They are all reserved under the Forest Act.

25354. And waste lands, the *malguzar* lands as you call them here, are under the administration of the Revenue Officers; the Forest Department has nothing whatever to do with them?—Quite so.

25355. Are complaints very frequent from villagers that they have not got sufficient fuel or thatching grass or anything of that kind?—No, they are not very frequent.

25356. You tell us that the pay of the rangers begins at Rs. 50; how high do they rise?—Rs. 150.

25357. What is the class of officers under the rangers?—Deputy rangers on Rs. 30 and Rs. 40.

25358. What is the lowest class of officers you have?—Forest guards.

25359. According to the circular from which you have quoted, for lower officers there is one right of appeal against any orders of fine or suspension or dismissal, and all officers getting Rs. 50 or more have a second right of appeal to a higher authority?—Yes.

25360. You approve of those rights?—Yes.

25361. Have you any village forests in your circle?—There are no Government forests which are called village forests; all Government forests here are reserved under the Act.

25362. I mean forest areas handed over to the village to be managed by the people themselves?—There are no such areas in this circle.

(*The witness withdrew.*)

Mr. C. R. CLEVELAND was called and examined.

25363. (*Chairman.*) You the the Inspector-General of Police?—Yes, since 7½ years.

I do not think there is anything wrong with the general system, but the evils of excessive centralization are often manifest owing to the faults of individual officers. Some officers try to do the work of their subordinates and others do the opposite, *i.e.*, they leave too much for their subordinates. The same main faults probably are found from the top to the bottom of the official system, but they are individual. The faults of our system are discoverable by a study of the records and characters of individual officers and not by an examination of the rules by which they are supposed to be empowered, guided, and restrained. I have found all real difficulties due to men and not to systems.

25364. Have you been brought in any way into touch with the Director of Criminal Investigation?—I know him personally very well. Whenever we have met we have discussed official matters.

25365. Does your work overlap with his, or his with yours?—Not very much, he was Secretary to the Police Commission, and I saw a lot of him then, and we have consulted about police matters a great deal, but the relationship was more personal when we had discussions.

25366. Do you find that there is in any way a tendency on his part officially to interfere with the management of the police in this province?—No.

25367. Not in any way at all?—No.

25368. Are you brought into relation with each other officially only on the criminal investigation side of your work?—I had a good deal to do with him in connection with the Police Commission schemes when they were being worked out.

25369. But in the administration of your police here?—No, not since we once settled our schemes.

25370. You have under you a certain number of District Superintendents. Do they correspond direct with you?—Yes, the rule is that on routine matters they correspond direct with me; on important matters, more than routine matters, they write to me through the Deputy Commissioner and occasionally through the Commissioner.

25371. That is in no way touching the discipline or interior economy of the police force?—We try to do it by common sense.

25372. Can you post your District Superintendents?—I have to take the Chief Commissioner's orders, but in very few cases could I say that the responsibility for posting was not on me.

25373. Do you take his orders direct, or through the Chief Secretary?—If there is a difficult case I should probably, if I happened to see the Chief Commissioner, do it direct; for instance, this morning I have been doing posting with the Chief Commissioner direct.

25374. But the requirement is that it should go through the Chief Secretary?—I would talk it over with the Chief Secretary and then send up an unofficial memorandum with my suggestions, which would go to the Chief Commissioner.

25375. They would go back for final sanction?—Yes; there might be a future development, for instance, I have discussed things that are going to happen four or five months ahead, and by the time they get my official memorandum things may have changed altogether.

25376. As regards the relations of the District Superintendent with the District Officer, are they satisfactory on the whole?—We try to keep them satisfactory. It seems to me a great deal depends on personality; there are some Deputy Commissioners who do not get on well with District Superintendents, but on the whole the relations are satisfactory.

25377. I am talking not of individuals, but of the system?—It is very difficult to differentiate.

25378. Do you find that the control or the interference of the District Officer in the working of the police force generally tends in any way to inefficiency?—No, from the point of view of the police we welcome the Deputy Commissioner in every possible way, if he comes in as a helper; as a mere critic we have not room for him.

25379. Does he attempt to criticise?—Occasionally; I said as a mere critic, there are Deputy Commissioners to whom criticism is——

25380. The breath of their nostrils?—Yes, sometimes, and then there is friction; we do not have it often; we do occasionally.

25381. You have no particular recommendation to make to us on that point?—No, the lines are broad enough to work on with individuals.

25382. I see that Mr. Spence, who is your Assistant, says that he does not consider the influence of the Central Provinces system as regards the Police Department to be in the direction of excessive rigidity, but he goes on to say that the Local Government draw up rules to cover every imaginable point; do you find that that is so?—It is customary to work on a Police Manual. Our manual ever since the Police Commission started has been more or less obsolete, and we are now going to have another manual; it rests with us and with the Local Government to see that that manual is not too detailed. The old manual for this and for all other provinces was practically one detailed manual which settled everything. The tendency now is to divide the manual up into volumes, some dealing with things which can be settled once and for all, the others with details (for example as to the number of suits of uniform to be given in a year) which will be left, I hope, as a departmental matter. If you once put them on one big manual, any change requires the sanction of the Local Government, and that is cumbersome.

25383. You think that these new rules will give officers and yourself as Inspector-General somewhat more freedom?—Yes; sometimes one does not introduce a petty change, because after all it is a small matter, and it is not worth going up about.

25384. If a subordinate officer of the police force is punished, what right of appeal has he against the punishment?—He is punished by the District Superintendent, and there is a prescribed right of appeal for reduction, dismissal, and suspension. If he is fined, which is very rare now, or given some smaller punishment, he has no right of appeal, but, of course, every man in the force can apply to me, or he can apply to anybody he likes—to the Chief Commissioner or to the Inspector-General.

25385. Are there two lines of appeal—one through the Deputy Commissioner and one through the District Superintendent?—No, only one.

25386. That is through the District Superintendent?—Yes.

25387. Whether in the case of dismissal or in the case of fining?—There is no right of appeal in the case of fining, it then becomes a matter of application.

25388. Is not that the same thing?—It is a different procedure.

25389. But the result is the same?—No, not always.

25390. The result is that he gets an inquiry into what has happened?—Not always; if it is an application which calls for nothing at all I simply put "File" on it, whereas you never put "File" on an appeal.

25391. (*Mr. Hichens.*) What powers of promotion has the District Superintendent of Police without referring to headquarters?—He appoints his head constables, that is, he may promote any

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constable who has passed his examination, without reference. The next step, from the head constable to a sub-inspector, requires the Inspector-General's sanction. Once a man is a sub-inspector he gets his grade promotion from the District Superintendent of Police without anything further from the Inspector-General. Inspectors are appointed by me, and their promotion is done by me.

25392. Are sub-inspectors usually appointed from head constables?—The two systems are going on side by side. Ultimately the idea is that the great majority of sub-inspectors should be appointed direct from men who come through the Training School, and there will be a small fraction of head constables who obtain promotion. Just at present we are very short of sub-inspectors, and so we are promoting a good number of head constables.

25393. Would it be desirable to give the District Superintendent of Police power to promote to the rank of sub-inspector?—He sends it up in the form of a recommendation roll; it is a very useful formality that it should come through me; I occasionally reject them.

25394. Has he any power of giving small rewards?—Yes. He can give rewards up to Rs. 20.

25395. (*Mr. Dutt.*) When the sub-inspectors' recommendation roll goes up to you does it come with the Deputy Commissioner's remarks?—Yes; always.

25396. In the matter of punishments, when an appeal goes up to you does it come with the Deputy Commissioner's remarks?—If it comes from a head constable or sub-inspector, not if it comes from a constable.

25397. Besides that the Deputy Commissioner has no other power with regard to either promotion or appeals from punishment, except forwarding his remarks to you?—A head constable's dismissal requires the Deputy Commissioner's previous approval under the old system; it will not under the new. A sub-inspector's dismissal requires my approval; the Deputy Commissioner has an opportunity of interfering at any stage if he likes.

25398. Under the old system does not a sub-inspector's grade promotion also require his approval?—That was done by the Inspector-General; the sub-inspectors under the old system were on a provincial list; now they are on a district list.

25399. Generally speaking, is the work of the District Superintendent of Police to some extent under the supervision and control of the Deputy Commissioner?—Certainly.

25400. Where his work relates mainly to the investigation of cases he receives his instructions from the Deputy Commissioner?—Yes.

25401. But so far as the police force is concerned the District Officer's control is very slight?—It is largely influential.

25402. Considering the responsibilities of the Deputy Commissioner, ought he to have any larger power over the police force?—I think if he is a competent Deputy Commissioner, that he will already have it by influence.

25403. You do not want to give him any more direct power?—I think not.

25404. With regard to the investigation of cases, does the Deputy Commissioner generally receive reports in important cases—dacoity cases and so on?—Yes, reports come through the Deputy Commissioner to me.

25405. Do you get the benefit of the Deputy Commissioner's remarks on those reports in the course of the investigation?—Yes, he has the opportunity; he reads the report of the investigation, and in sending it on to me he occasionally makes notes upon it.

25406. (*Sir Frederic Lely.*) As a result of the recent Commission has the District Magistrate, as a fact, lost certain definite powers over the police?—He will have less definite powers in the matter of departmental punishments, but then we have Deputy Inspectors-General, which we had not before.

25407. To a certain extent the Deputy Inspector-General will now occupy the place of the District Magistrate?—I will not go so far as that. If you wish for a detailed answer I would like to refresh my memory.

25408. The appointment of the Commission and the result and orders have led to many changes?—Yes, we are in the transition stage now.

25409. Changes which have been imposed on the Administration by the orders of the Government of India?—Before we were at a standstill for want of funds. What the Administration would have done, if they had had the money, I cannot say.

25410. That is another point, but in regard to the number of police and in regard to their pay?—The changes were partly spontaneous and partly from above; I cannot say that they been imposed upon us.

25411. Have not changes in equipment and pay and so on been embodied in directions emanating from the Government of India?—We have had no rules whatever about equipment except that we give the police more than they had. As regards pay those rates have been settled by the Government of India after consultation with us; we got exactly what we asked for in most cases.

25412. You referred just now to limiting the number of head constables who could be promoted to 15 per cent.; has not that limit been imposed by the Government of India?—That would be a rule from above modified by suggestions of your own, I think.

25413. (*Sir Steyning Edgerley.*) Are the constable and head constable grades local to the district?—Yes, so also are the sub-inspectors.

25414. Hitherto appeals from punishment have been controlled by the District Magistrate?—No, if the District Superintendent of Police punishes a constable the next step is that the constable appeals to the Inspector-General. That has always been so.

25415. And head constables?—A head constable would always appeal also to the Inspector-General.

25416. And the sub-inspectors?—They would also appeal to the Inspector-General.

25417. Do sub-inspectors' appeals come through the Deputy Commissioner?—Yes.

25418. And head constables' appeals?—I am not certain as to that in future.

25419. In all cases the Deputy Commissioner has a right of noting on an appeal?—Yes; in fact, there is rather more than a right of noting; I can bring to mind a case where the Deputy Commissioner has held an inquiry; he has not been satisfied, and he has returned the whole thing.

25420. He can return the case for further inquiry?—He has made the inquiries himself.

25421. That power he will no longer have?—The words are "The records of all serious cases of misconduct and of cases affecting the public should be submitted to the District Magistrate, and he should have power to send them on with his recommendations through the Commissioner to the Deputy Inspector or Inspector-General; he should also have power to call for any papers relating to the case," and so forth. Those are the rules laid down by the Government of India on the report of the Police Commission in the Resolution of March 21st, 1905.

25422. You have not yet got that working?—No.

25423. Are those the latest orders as to appeals that you have received?—Yes; they thought of putting these orders into the Police Act, which I understand, has now been abandoned, and we have just got down the principles of the Police Act.

25424. What do you suppose is the number of appeals which you receive every year?—It is somewhere between 100 and 200 departmental appeals—not more.

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25425. I understand the District Superintendent of Police will have power to practically punish constables and head constables; he will pass his orders without reference to anybody else?—The Government of India laid down principles and said, these principles will be amended in a general Police Act for India. They have given us those principles. For the past three years they have been thinking of the Act, and they have just decided to drop the Act, and we have been asked to work out these principles; so that I could not tell you exactly how it will be.

25426. We were told in Eastern Bengal that the cessation of local appeals to the District Magistrate struck a serious blow at his authority in police matters; you would not agree with that?—No.

25427. Do you see any grave objection to local appeals from the sub-inspector downwards going to the District Magistrate for settlement?—Yes. I think that in a matter of discipline the department is responsible, and should have the power of punishing.

25428. About these reorganisation proposals, were most of your requests accepted?—Most of them were accepted.

25429. You had no particular difficulty about getting anything that you considered necessary?—No, none whatever. As to one or two points of my proposals there were difficulties. I wanted more deputy superintendents at once, and I could not get those for reasons shown. I was very unhappy about the position of our head constables under the future scheme, but I had to accept the decision as the rest of the provinces were in the same position. We started with great local difficulties about the head constables, and we have come down in their pay, while other provinces have gone up.

25430. The head constable in the future is to get no promotion except this 15 per cent.?—Our head constables went up to Rs. 30 *per mensem*; that was the difficulty.

25431. What was the difference of opinion between yourself and the Government of India?—We wanted to pay the head constables more than Rs. 20.

25432. You had done so previously, and in future you will not be able to do so?—No.

25433. You had no difficulties as to numbers?—No.

25434. (*Mr. Meyer.*) As regards these various restrictions to which you refer, is it not the fact that they were recommended by the Police Commission; the Government of India did not evolve these rules out of their own heads?—Do you mean going behind the Resolution and the Commission's report?—What the Police Commission said was Rs. 25 as the pay of head constables, and the Government of India said Rs. 20.

25435. The Police Commission at any rate agreed that there should be a general limitation to the proportion of sub-inspectors who should be promoted head constables?—Yes.

25436. The Police Commission report was sent for suggestions to the various Local Governments?—Yes.

25437. And the upshot was that the orders were in accordance with what the Local Governments suggested?—All the recommendations of the Local Governments were confidential.

25438. Anyhow, the Local Governments had full opportunity of discussion?—Yes.

25439. May I take it that the same was the case in regard to the pay of head constables?—As a matter of fact, I think, the reduction from Rs. 25, which was the Police Commission limit, to Rs. 20 was by the Government of India, not on the Police Commission report.

25440. Then as regards the percentage of sub-inspectors, did the Government of India change the Police Commission's limit there?—I think not.

25441. This uniform pay does not preclude local allowance in special expensive places for head constables?—For constables; I have never seen it put down for head constables.

25442. Under the present system you say that if the District Superintendent of Police reduces a head constable it goes up to the Deputy Commissioner, and if on looking through the record he thinks that there is not sufficient evidence to punish the man on it, he reverses the decision at once?—No. What he as a matter of fact would do would be to talk it over with the District Superintendent; if he convinced him, then the case would be dropped.

25443. So that in reality he is not an appellate authority?—He is not an appellate authority.

25444. Under the new rule can the District Superintendent of Police post men in a district?—He would have to do that with the approval of the Deputy Commissioner.

25445. You think the Superintendent of Police has to get the approval of the Deputy Commissioner with regard to the transfer of an inspector?—I rather think he would have to get the approval of the Deputy Commissioner even as to that, but we are working in a very fluid state.

25446. Take this case; the District Superintendent is quite prepared to keep inspector X where he is, but the Deputy Commissioner has come to the conclusion that X is doing mischief in a certain place, or is not competent to manage it, and wants to remove him; what happens then?—The course would be that the Deputy Commissioner would write to the District Superintendent of Police and say: "I think this man should be removed; if you agree please remove him." The District Superintendent of Police would write back and say: "I do not wish to transfer this man, I think it would be harmful; if you still wish it will you please refer to the Inspector-General." Then the Inspector-General would be brought in or not, according as the difference was settled, or not.

25447. Eventually who would have the deciding word?—If the Deputy Commissioner and I disagreed I should refer it to the Commissioner, if it was an acute disagreement; I have never had a case of that kind.

(*The witness withdrew.*)

Mr. S. C. HILL, B.A., B.Sc., was called and examined.

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25448. (*Chairman.*) You are Director of Public Instruction?—Yes.

25449. What is your general scheme of educational control here? There is the Director of Public Instruction; what is there below him?—Then inspectors. The Central Provinces is divided into five Commissionerships; each Commissioner has an inspector of schools; the Commissionerships are divided into districts; each district has a deputy inspector of schools. That is practically the administrative staff. Then the colleges have their principals and professors. There is one difference, however; the inspectors, like the Director, hold an advisory position more than having absolute power. On the other hand the deputy inspector is really an Educational Officer who is lent to the Deputy Commissioner to assist him in the management mainly of vernacular native education.

25450. The primary schools are managed by what authority?—They are managed almost entirely by the Local Boards; that is, the District Councils or District Boards.

25451. By whom are the middle anglo-vernacular schools managed?—Partly by Government, but chiefly by the municipalities. There are very few of these under the District Councils.

25452. And the secondary schools?—The secondary schools consist of the anglo-vernacular schools and the high schools; the high schools are almost all Government schools now, except of course those managed by missionaries and the Muhammadan schools. The Muhammadans do not like to have

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Government control over their schools, because it prevents religious education.

25453. In your opinion is the system of education in the Central Provinces at all what may be described as a centralized system?—No, I think we have here what is practically the maximum of general concurrence; the department limits itself very largely to advising. We have the help of the Deputy Commissioners; in fact, in the Central Provinces without the help of the Deputy Commissioners you might practically close all the primary schools; it is their influence more than anything else which keeps them going.

25454. Are the District Councils apathetic?—The District Councils are in a peculiar position; we have a comparatively large number of aboriginal tribes, and the better classes are not particularly interested in them, and there the missionaries come in very strongly, and the influence of the missionaries and the tahsildars is invaluable.

25455. Do the municipal bodies and committees manage their schools pretty well?—They manage their primary schools not so very well, because there is not sufficient money, and also because they want to use that money for middle anglo-vernacular schools. All their own sons are likely to grow up to be of influence in the municipalities, and they want them to be educated in their own towns as far as they can, so that they endeavour to get a middle school. There is a constant fight going on to see that they carry out the orders of the Government of India and limit themselves to primary education.

25456. From the point of view of efficiency, ought their powers to be limited to primary schools?—That is Mr. Candy's opinion, but I do not entirely believe in it, because my feeling is, if you want education reduced to an efficient minimum in this province, you should leave it entirely in the hands of the department, but if you wish to employ all the influence available, the influence of the Deputy Commissioners and the influence of the general public, then you ought to leave the powers in the hands of the local bodies. I think for the ultimate development of the general education of the country it is better that we should risk the less of present efficiency.

25457. Do you find that the Director-General interferes at all with your administration?—He does not interfere at all; I have no official cognisance of his existence from one year to the other; he only writes to me demi-officially, and I am not allowed to use his demi-official letters.

25458. He sends you opinions on educational subjects from time to time?—I refer to him a good deal in cases of new departures, as to what is going on in other provinces; I cannot always get that out of other Directors, but I can generally get it from the Director-General.

25459. With regard to the desirability of educating people in self-government, do you insist very strongly upon the curricula of schools being identical all through the Central Provinces?—The curricula of primary schools was drawn up a few years ago by a committee containing Educational Officers, and a certain number of Civil Service Executive Officers, and it was intended to give a practical course of study for primary schools; our object rather is to maintain that standard than to insist on absolue uniformity, and in all backward districts the Deputy Commissioner in consultation with the inspector can alter the curriculum to suit his opinions, simply reporting the matter. The Deputy Commissioner is supposed to know more about the real wants of the people than anybody else.

25460. Do you think there is under the present administration sufficient flexibility?—Absolutely, I think.

25461. Have these instructions by which the inspector plus the Deputy Commissioner can alter the curricula only been a recent change?—When I came here I found my office very much overburdened, and I was ordered to make out a list of the work done and to show how much of it could be done better in other places. The result was that about two years ago a number of the powers formerly exercised by the Director were handed over to inspectors and Deputy Commissioners.

25462. Has that worked well?—I think it is working well, but it is such a short time ago that one can hardly say.

25463. Are there any further powers which you can delegate at present?—I think not. We have delegated practically as much as we can until we know how the present system works.

25464. Mr. Candy says that there are several matters in which powers should be delegated with reference to attendance and so forth?—Those are all petty matters, and are partly delegations to the Director of Public Instruction or to the inspector of schools.

25465. (*Mr. Meyer.*) You served in Bengal a good many years before coming to this province?—Yes, 20 years.

25466. Do you notice any great difference in the educational system between the two provinces?—The chief difference seems to me to be that here the Educational and Civil Services work in very much with each other. There, as an inspector of schools, I was practically independent and hardly ever consulted a Magistrate at all except as a matter of form; here it is the rule with Government that in all questions of policy we shall keep in touch with the District Officers and use their advice as much as possible in guiding ourselves in the general policy.

25467. Is the Central Provinces system the better one?—Decidedly for the Central Provinces.

25468. We were told by several people that it would be desirable to try to give the District Magistrate in Bengal larger control in the matter of secondary education, would you share that view?—I do not think that in Bengal the Magistrate has time to take much share in it.

25469. Assuming he had the time, would it be of advantage to associate him with the management of the zillah schools and so on?—It is so many years since I left Bengal that I do not remember, but in my time he was always the Head of the committee.

25470. Are you satisfied with the position which the District Boards have here with respect to education?—Yes, I think they have quite as much power as they ought to have.

25471. I gather that there is a material difference between the procedure in Berar and the procedure in the Central Provinces proper—in Berar the schools are all managed by the Education Department?—The Education Department is stronger than it has been here; it followed the Bombay lines.

25472. Whereas in the Central Provinces the Boards were supposed to manage their own schools?—Yes, simply with advice from Educational Officers. We have certain rights, the inspector can fine masters in Board schools if he likes, but he cannot always get the municipalities to enforce the fine.

25473. What is the general method by which the Boards here deal with education?—Almost throughout the whole of the Central Provinces the primary schools outside the towns belong to District Councils; in the towns they belong to the municipalities, building any everything else.

25474. Then you have not much in the way of aided schools?—It is almost all missionary education.

25475. Is it aided by the Government or the Boards?—It is generally aided by the provincial Government.

25476. Does the deputy inspector deal with the Board schools direct?—Yes, he practically manages them; in some places you will find the municipalities give him an absolutely free hand, and the District Councils give him a free hand, and as long as he goes on well and there is no great trouble among the people, I think the municipalities and

District Councils follow the deputy inspector's advice closely.

25477. Who settles whether there are new schools to be made or an old Board school to be abolished?—The deputy inspector reports on that to the Deputy Commissioner—no school can be closed without my ultimate sanction.

25478. Where does the Board come in?—The deputy inspector reports through the Board, and in that way the Board always has a say in that matter.

25479. Ordinarily the deputy inspector would say that the school ought to be closed?—He would advise the Board so, because he is the inspecting officer.

25480. And if the Board agreed with him it would then come to you for approval?—I would not close it without the sanction of the Deputy Commissioner, because we have trouble as to the cost and so on, and it might be possible that the District Council had said, "We do not want to carry on this school, it is only low class people who go there."

25481. Would the ordinary procedure be first for the deputy inspector to move, then for the Board to agree, then for the Deputy Commissioner to concur, and, lastly, for you?—Yes.

25482. Supposing the Board did not agree with the deputy inspector and said "It is good enough for us," what would happen?—Then you can also interfere through the Commissioner. All the finances of the Board are under the Commissioner, and if the Commissioner gives the order, the school would be closed.

25483. The Board's budget for allotments under education comes up to you?—Yes, for comment, with regard only to the portion referring to education.

25484. Do the District Boards give a fixed percentage of their revenue for education?—No.

25485. Speaking generally, who really runs the Board schools in the Central Provinces; do the Boards themselves have much to say about it or is it merely the Education Department and the Deputy Commissioner who spend the Board's funds in the Board's name?—Of course, the real moving spirit is the deputy inspector, but the Boards take a very strong and intelligent interest in the work; I know that by appeals that come up to me.

25486. Do you think they would take more interest if they were allowed to run their own educational sub-committee and so on?—I do not think so—the municipalities have sub-committees.

25487. Mr. Candy states that in the Central Provinces the Boards and municipalities engage their own teachers, but is that generally done for them by the deputy inspector?—Yes.

25488. And that they hold out to them no hopes of pension—have they no provident funds?—None in this province, in Berar they are pensionable.

25489. The Berar system goes the whole way in the matter of Government control?—The District Boards are interfering a great deal more now than they used to.

25490. The upshot of the amalgamation of the provinces will be that education will become more departmentalised in the Central Provinces, but that the District Boards in Berar will get a freer hand?—I think so.

25491. And you look upon that, generally speaking, as a good thing?—Yes.

25492. Have the District Boards here middle schools to any great extent?—Do you mean middle English schools or middle vernacular schools?

25493. Both?—Middle vernacular schools are all Board schools.

25494. You draw the line really at the Anglo-vernacular or the English school, and the English schools, you think, in this province should be under the provincial Government and the vernacular schools under the Local Board?—Yes.

25495. Are the English schools dealt with by the Deputy Commissioner also?—No, so far as they are municipal schools they are dealt with by him through the municipality, but the teachers are practically all appointed by the department.

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25496. And the provincial schools?—Are entirely under the Government, and the Deputy Commissioner has nothing to say as to them except that he is Head of the Committee.

25497. Is that satisfactory?—Quite.

25498. What has the Commissioner to say on the matter of education supported from provincial funds?—He generally limits his interference to criticism on any point that he finds wrong on his tours, and he uses his influence very largely to encourage public interest in schools. For instance, if the people want a new school or a school of higher rank, they generally approach the Commissioner, he approaches all the big people about the place and gets subscriptions, then the matter comes up to Government and Government says "Very well, we will raise your school to such and such a standard if you will provide a building," and that is very often the result—they subscribe towards the building, we aid them, and if it is a high standard we make it a Government school.

25499. Do the Commissioners have much to say with regard to your budget so far as it relates to their division?—No, because they all go up direct to the administration.

25500. Do you not think a Commissioner might profitably see the proposals and have an opportunity of saying that you are spending too little or it may be too much in his division?—I do not think so; I do not think there is any necessity for that. There is so much correspondence and consultation generally as to what schools are wanted, that there is no advantage in his seeing the budget proposals later on. All applications for sanction for big new schools really have had his concurrence before they go up.

25501. Then you think he has sufficient influence as it is?—Absolutely.

25502. Do you think the appointment of Director-General of Education has been a good one?—I do not think it has had any effect at all.

25503. Not one way or the other?—Perhaps that is ungrateful of me, because I am always able to obtain information about other provinces now which I could not before.

25504. Would you give a Local Government an absolutely free hand in educational matters?—I do not think so; I think if you did, education would probably be starved.

25505. Is the Government of India more sympathetic than the Local Government?—I think so, the Government of India want to raise the standard of education to what it is in European countries, and Local Government have so many claims upon them that they might be inclined to starve education.

25506. In connection with what you said as to the inspector of schools and the Deputy Commissioner making alterations in the curriculum, Mr. Candy says that that is only with regard to backward localities—is that so, or would it apply to other localities?—It is only where there are backward classes.

25507. Do you mean by backward classes hill tribes and people of that sort?—We have a large Mahrathi population here which the Brahmans will not have anything to do with, and we find quarters of these people in all the towns.

25508. As regards the cultivating castes, are the schools bound by the provincial Education Code?—That rule really gives the Deputy Commissioner absolute control, and if he chose to say a place was backward no one would question it.

25509. So that if he thought, for instance, that the pupils had better stop the learning of Indian history, and that a little more agriculture or botany should be taught, could he carry out his ideas?—Yes.

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25510. The inspector is an advisory officer mainly?—Yes, mainly.

25511. The Chief Secretary said he was under the impression that that position was being gradually extended, and there was a tendency for the inspector to issue orders more or less to the deputy inspector instead of addressing the Deputy Commissioner—is that the case?—There may have been that tendency, because the relations of inspectors and Deputy Commissioners have never been accurately defined, but recently we have drawn up orders on the subject, and they know now exactly what they are to do.

25512. Are you in favour of keeping them in the position of inspectors merely and not administrators?—They have to administer the Government schools in their circles—the high schools and the Anglo-vernacular schools, when they are Government schools, and they have practically the appointment of all the English teachers in their schools.

25513. That is what I suppose Mr. Candy refers to when he speaks of the transference of teachers?—No, in Berar he tells you that all the masters were under his control and the objection to Mr. Candy's proposal was merely an account objection; if a school had one establishment and transferred one teacher to another, it created a confusion in the accounts—that was all.

25514. There was no question then of exercising such a power as that with reference to a Board school, except in Berar?—In the Central Provinces proper the inspector never transfers a master from one school to another without previous consultation with the Board.

25515. Mr. Candy says that he would lay down generally that the Director of Public Instruction should have wider discretionary power with regard to transferring from one head to another—does he mean from a major head?—I cannot tell you, but as a matter of fact practically all transfers have to be sent up for sanction.

25516. What you administer generally is the fund under the main head of education?—Yes.

25517. I suppose what Mr. Candy meant was the minor heads that come under that?—Yes.

25518. And you have no such power now?—Practically none—all reappropriations have to be sent up for sanction and that very often takes a long time.

25519. Is it advisable that you should have such power?—I think so.

25520. (*Sir Steyning Edgerley.*) Has any attempt been made to make the standard of curricula in Berar the same as it is in the Central Provinces since the amalgamation?—When I came to the province, I found a sort of standing order that whatever was done in Berar which differed from the Central Provinces should be altered, but Mr. Candy represented to me the trouble and confusion this would cause, so that the Beraris are now allowed to have their own text-books; their curricula have been slightly modified, and in consultation with the inspectors of the Central Provinces we are trying to draw up curricula which will suit both.

25521. Do you consider that the Berar curricula and text-books are better than those of the Central Provinces?—I do not know, but the general impression is that they were much more popular and the people were more pleased with them, but I do not understand Mahrathi.

25522. One witness has said that in the desire to secure uniformity standards have now been drawn up which have lowered efficiency in Berar, and Mahrathi books have been prepared the style of which is inferior and the grammar at times questionable—what do you say as to that?—I do not think there is much in that. The great difficulty in the Central Provinces is to get anything like a language which will be understood all over the provinces. Some of the Deputy Commissioners say, "There is not a man in my district who understands such words," but they are perfectly good words and are probably used in the next district.

25523. What particular reason is there for trying to modify the Berar standards and curricula if the people are pleased with them?—When I took over charge I tried to stop all that change, but we found that there were faults in our curricula and text-books, that is to say in the Mahrathi portion of the Central Provinces, and as officers are transferred from one part of the province to another their children go with them, and therefore it is advantageous that the boys should be reading as far as possible the same standard in the different places. With that object we are trying to draw up better curricula and better books which will be acceptable to both provinces.

25524. (*Sir Frederic Lely.*) Some time ago in a training school in Berar there was found to be the grossest indiscipline, and all the Commissioner of the division had to say about it was that he did not consider it was any of his business—would that be the case nowadays?—I believe the Commissioner was hauled over the coals for that.

25525. Do you, as a department, consider that the Commissioner and the District Officers have any responsibility in the matter of secondary education?—I think they are very largely responsible, and the tone of a town is very largely dependent upon the interest taken by the District Officers in educational work.

25526. In the case of higher places of education, high schools and training colleges, have you Boards of Visitors?—I do not think there are any Boards of Visitors for training colleges, and of course the excuse that it was none of his business was more plausible than it would have been in any other case, but high schools have all got committees, and the chairman is invariably the Deputy Commissioner. That has only recently been applied to Berar.

25527. Do you think it would be a good thing to establish in connection with all these places of education, training schools included, Boards of Visitors including the higher officials?—It is very difficult to get Boards of Visitors, and the higher officials are so busy that they cannot afford the time. That is my only objection.

25528. With regard to primary schools, at present the District Boards are nominally responsible? What would you say to going a step lower and in some of the best villages giving the village panchayat, or some representative of the village, power to manage schools?—In all the villages whenever there is a school there is a village committee, and the village committees in the Central Provinces have absolute control of all fees collected; that is sufficient control.

25529. Are they responsible in any way for the housing of the school?—No, the District Council is responsible for the housing, but they are supposed to do a little in the way of keeping up gardens, and distributing prizes.

25530. Would it be possible to make them entirely responsible for the maintenance of the schools by giving them a grant and entrusting them with the spending of it?—That would be a very good policy if grants for instance were given for building, and they were allowed to spend the money themselves. The money that is given for buildings now is very largely wasted.

25531. Who provides the buildings now?—The District Council. They generally engage contractors who do the work very badly.

25532. In the best villages would you advocate giving the villagers the money and leaving them to build the house without any other control?—Except that they should submit their plans to the deputy inspector, they should be allowed to build the house themselves, and I would propose that a percentage of the money should be kept until they had built it satisfactorily.

25533. At any rate, as an experiment, you would be inclined to give village schools into the management of the villagers?—Yes.

25534. (*Mr. Dutt.*) Is the Deputy Inspector always a member of the District Board?—No.

25535. Then he inspects the District Board schools probably in accordance with some Government rule?—He has a manual which tells him what his work is, and in accordance with the rules laid down and the advice issued from time to time by the inspector or Director he makes his inspection.

25536. But, as a matter of fact, he is not a member of the District Board in any of the districts of the Central Provinces?—I think he is in some.

25537. But he inspects in his capacity of deputy inspector, and not as a member of the District Board?—Yes.

25538. Do the *tahsil* Boards or the *taluk* Boards interest themselves at all in the primary schools within their areas?—Local Boards very often interest themselves, but more personally, I think, than officially.

25539. Have you a class of officers called sub-inspectors of schools?—No.

25540. So that the whole of the inspection work is done by the deputy inspector?—Yes.

25541. Is not the work too much for him?—I made a slight mistake in saying that we had a deputy inspector for each district; that was the original arrangement, but when a district becomes too large it is divided into ranges, and a deputy inspector will have from 60 to 80 schools to inspect which he must inspect twice a year.

25542. Are those Board schools, or Board and Government schools put together?—The primary schools are practically all Board schools, but it includes all schools whether private, aided or Board schools.

25543. Besides that, has he to inspect secondary schools—Anglo-vernacular and high schools?—He has the Anglo-vernacular only in Berar, and no secondary education schools in the Central Provinces.

25544. Are deputy inspectors Gazetted Officers?—Their salaries run from Rs. 60 to Rs. 200; they are not what you would ordinarily call Gazetted Officers.

25545. Are not their transfers gazetted like those of Deputy Collectors?—They are gazetted, but we do not call them Gazetted Officers.

25546. Their appointments, transfers and promotions rest with the Government?—They rest entirely with the Director.

25547. You do not have to take any order from the Chief Commissioner to transfer, appoint, or promote them?—No, the Government does not interfere with me except as regards provincial appointments and appointments in the superior Service.

25548. Do none of these deputy inspectors belong to the Provincial Service?—None.

25549. (*Mr. Hichens.*) Apart from reference on financial grounds are there many educational matters that have to be referred to the Government of India?—Very few, except in regard to appointments.

25550. That is a financial matter practically?—Yes, with regard to the salary of the appointment, and of course if you wish to start any new big institution that is a question of finance, but the Government of India also consider the question of policy.

25551. In a matter of that sort would the reference be more than financial?—Yes. For instance we wanted to start a Law College here and the Government of India considered the question and refused action, but they did not refuse it on the financial ground, but because it had not been a success in Madras.

25552. Do you think a matter of that sort should be settled by the provincial Government itself?—Yes.

25553. Generally speaking, would you say there are few matters except financial matters which should be referred to the Government of India?—I think so.

25554. Do the Government make a direct contribution to the District Boards for primary education?—Yes.

25555. To cover the whole of it?—Yes, it is supposed to cover the whole of it. The District Councils have a sort of general fund; the Government earmark certain cesses for them and make them a general contribution. There used to be a fixed contribution, but now it is a general contribution, and as long as the Commissioner is satisfied that they spend enough there is no further interference.

25556. And they and the municipalities do not deal with Anglo-vernacular schools?—They do in a certain number of cases, but we are gradually taking them over.

25557. You do think it is sound that Anglo-vernacular schools should come under Government?—I think it is advisable at any rate at present. I do not think they have sufficient knowledge to manage a high school.

25558. We were told that if they had the power that is just the sort of school they would establish, because it is the kind of school their own sons would go to?—Yes, they would do so, but when they had such a school they would not understand how it ought to be run.

25559. Then you are of opinion that they are not sufficiently experienced?—There are not sufficiently educated men on these Boards; that would not apply to Bengal, but this is a somewhat backward province.

25560. But suppose the Deputy Commissioner were to look after it?—He would not have time.

25561. The fact remains that that is the work in which they would be most interested?—Certainly.

25562. Therefore, it is a pity that they should not do the work in which they are interested, rather than work in which they are not?—Certainly, and if they were capable we should be very glad to make it over to them.

25563. Assuming they were interested in it and not in primary education, would it not be better to hand over to them the work of Anglo-vernacular education and take away the work of primary education?—I should not like to answer that question straight away.

25564. I understood you to say that they were interested to some extent in the one and not in the other?—Yes.

25565. With regard to the Government of India are you anxious they should have a general control, in order that they may see education gets its proper share of attention?—Yes.

25566. Do they to-day make a direct contribution?—Yes, they make direct contributions for many educational objects; for instance, they made a direct contribution for primary education, and since then they have made one for European education and one for secondary education; at present they are ordering us to reconsider the whole question of secondary education, but whether they are going to give us any money or not I do not know.

25567. How are they ordering you to reconsider it?—They have informed us (which we knew of course) that the teachers in secondary schools were extremely badly paid and the quality of the schools was not what it ought to be, and suggested that the maximum salary of Rs. 200 might be raised to Rs. 400, and the question is, where is the money to come from? They warned us at the same time that they were not likely to be able to give us the money.

25568. Is the pay of teachers a matter which concerns the Government of India?—It was a very good thing for them to tell us and lay down some rule, because that is a thing in which education is locally starved; the local people do not understand the importance of education and therefore they are satisfied with schools under masters on Rs. 200

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when one knows that for schools of that class they cannot be run well under men on less than Rs. 400.

25569. We were told elsewhere that if Local Governments were left with a free hand what would happen would be that one Government would raise the pay of a schoolmaster and that would practically force the hands of other Local Governments and make them do the same thing; what do you say as to that?—I do not think it would force their hands; for instance, in Bombay they pay their men very much better than they are paid anywhere else, and no one has felt bound to follow.

25570. Is it not conceivable that the question of the status and salary of schoolmasters would be more fully considered in the long run if each province was allowed to do what it liked, that is to say, if uniformity was not insisted on by the Government of India?—No, I think the Government of India will probably lay down a high and fairly satisfactory standard, and it is advantageous that the Government of India should tell us what it thinks is practically the minimum for which we can get good men.

25571. Are they more likely to know that?—They are more likely to know than the local authorities

(*The witness withdrew.*)

Adjourned.

FORTIETH DAY.

NAGPUR, *Thursday, 6th February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Mr. G. M. CHITNAVIS, C.I.E., was called and examined.

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25572. (*Chairman.*) Will you tell us your profession?—I am a landholder, residing in Nagpur. I have been Chairman of the municipality for the last ten years, and of the District Council for a similar term.

The financial relations between the Imperial and the provincial Governments are satisfactory enough. The general financial policy must be determined by the Imperial Government, but in matters of detail there should be greater elasticity and greater autonomy in the action of the provincial Governments, especially as regards famine and irrigation. Local needs are likely to be better known to the provincial Government, and greater independence of action should be productive of good. The Imperial Government has often to consider the applications for relief of a number of Local Governments, and the relief is sometimes inadequate in a particular area. Provincial Governments, when reporting on distress, have no means of comparing notes; there is not, consequently much in the reports themselves to enable the Imperial Government to come to a correct decision about the comparative urgency of the cases. The difficulties of the Imperial Government are increased by the fact of the Head of one provincial Government being more anxious than another to have a larger share of the imperial bounty as a sort of insurance against a likely famine. The actual state of things does not appear until the famine is over, and the necessity for expenditure has ceased. It may be that, in the end, one provincial Government has a larger surplus in hand than another, while the distress has been very inadequately relieved in other provinces for shortness of funds. Money might be more economically and more usefully spent by giving greater autonomy to the provincial Governments in the matter of famine relief. The policy and the principles of famine administration being settled by the Imperial Government, the details should be left to be worked out by the provincial Governments in consultation with the representatives of the people. At present, the Government has to depend too much upon the reports of subordinate officers, anxious for *kudos* by preventing expenditure and ignorant of its benevolent intentions. In actual practice, the report of a village accountant or patwari determines the fate of the whole village; and unless there is certain death from starvation the true state of affairs does not come to the knowledge of the Government. But then it is too late and the provincial Government, not having made ample provision in its famine budget for the particular area, finds itself hampered in its operations. The patwari often sides with the cultivators against the *malguzars* and fraudulently reports prevalence of distress in villages where there is none. This not only causes wanton loss to the provincial Government in having to provide for an imaginary famine, but causes still greater loss to the *malguzars* who have to make remission of rent which is easily recoverable, at a time when their resources are severely taxed. It will certainly improve matters, especially in relations between the Government and the people, if the provincial Governments are influenced in their decision by public opinion. And Divisional Advisory Councils, if properly constituted, will be found very helpful, as the tenants will be equally strongly represented on such Councils as the *malguzars*.

In the matter of irrigation the Imperial Government must continue to lay down the guiding principles, but in matters of detail provincial Governments should have greater autonomy. Local Governments and the people are in a better position to judge of the utility, the urgency, and the commercial prospects of a particular scheme.

Larger administrative powers should be given to provincial Governments in matters of light railways, emigration, reduction of revenue assessment, and protection of local industries. Light railways are necessary, especially in my province, and Local Governments should have greater freedom of action in initiating them. Having regard to the scarcity of labour, emigration should be checked and regulated by Local Governments, irrespective of the policy of the Imperial Government. It may likewise be necessary that revenue assessments should

be reduced in a local area for the prosperity of the people. The protection of local industries is more a matter of provincial concern, the Local Governments ought to be able to do something in the matter, without the special sanction of the Imperial Government. Well-conceived industrial schemes worked by provincial Governments will have an educative influence which is valuable in itself, and will further divert the hoarded capital of the country into remunerative channels.

Local Governments may be invested with borrowing powers on a small scale. The chief conditions should be that the loans must be repaid from surpluses within 40 years, that they should not involve additional taxation, and that the money must be employed on remunerative works and in subsidising measures of sanitary and industrial improvement undertaken by small municipalities and District Boards. The loans must also carry an imperial guarantee.

Taxation ought to be imposed with the sanction of the Imperial Government, and the Imperial Government should execise a general oversight over the provincial Administration in the matter of taxation. Taxation has reached almost the breaking point, and over-centralization in administration and red-tapism account for a large portion of it. The introduction of a complex system of administration with multiplicity of departments is at the root of the evil. The destruction of the old village communities and the assumption of larger powers by the District Officer, necessitating increased ministerial work and correspondence and tours, have increased the cost of administration. The rehabilitation of the village institutions and making them living forces with real power will reduce expenditure, and, consequently, taxation.

Official tours should be undertaken only in exceptional cases. Sometimes, besides causing waste of energy and time on the part of high-placed officers, they entail great hardship upon the people. It is impossible for the officers to prevent the exactions of their suite, notwithstanding the most commendable vigilance on their part. These tours entail a heavy responsibility on the *malguzar*, which, in view of the increasing scarcity of labour in the interior, it becomes very difficult for him to discharge. The *begar* system is no longer in vogue, and the *kotwar* has acquired an independent position in the village; and what the *malguzar* could have done easily in former times has now become to him a very irksome and onerous task. The District Officer, the Sub-Divisional Officer, and the tahsildar have at present to do a certain amount of judicial work, and from the necessities of the situation, they have to fix cases for hearing in camp, despite the rules recently made for the regulation of such hearings. Parties have to be in attendance with their witnesses far away in the interior on the off-chance of their cases being heard. The officer concerned often has to adjourn to some other village, probably several miles off the first, where the poor litigant has to follow him. Parties do not get proper legal help in the interior, and, where necessary, they have to pay for it at a ruinous rate. Officers should be directed to fix their camp in large rural centres, where there is no difficulty about quarters, provisions, and labour. And at the time of the revision of revenue these rural centres should be allowed some concession by way of compensation for the trouble undergone in the management of the tours.

A District Officer should not be transferred from his district before five years

The district administration must be simplified, and the details settled in view of local needs and requirements. The administration is dominated too much by considerations of revenue. The central Government wants money, and looks to the provincial Government for supply. Some of the imperial taxes—the income-tax and the cesses, for instance—are assessed and collected by the provincial Governments. The necessities of the Imperial Government create a zeal among the subordinate Governments which is gradually communicated to the District Officer, who tries to raise as much revenue as possible, regardless of the capacity and the wishes of the people. The income-tax administration, for instance, is as unsympathetic and rigorous as possible. There is a tendency to show an increased collection at the end of the year. Assessments by the subordinate officers are generally heavy, and the remedy of appeal is unreal. Collectors and Commissioners seldom choose to interfere. Books of account in many cases cannot be shown to the assessing officer for the simple reason that they disclose facts which affect the solvency and the credit of the party. But the assessor is unconvinced, and that even where the books are produced.

I would not curtail the right of appeal, whether against administrative and executive orders or against judicial orders connected with revenue. Not that it affords much relief, but it affords consolation to the people, and a curtailment of the right will be a fruitful source of dissatisfaction and discontent.

There is no need for any large increase in the administrative staff. Far from the Services being undermanned, there are too many offices and officials.

Local bodies may with advantage be given the power of allowing pensions and bonuses to their deserving servants, and I would like to see these local bodies devoting some of their attention and resources to the encouragement of small industries.

The former village system with the *malguzar* as the unit of the administration gave him a position among the people which enabled him to keep effective control over them in troublous times. He could therefore easily answer for their loyalty, but now, with loss of power, there has been a loss of responsibility too. He is now only a farmer of revenue, and his other duties have been taken away from him and placed in the hands of the various village officers—*mukaddam*, *gomasta*, patwari *kotwar*, and the police. He has to live under the surveillance of these officers, who are wholly independent of him, and assert their predominance in the village by the promotion of a factious and refractory spirit among the tenantry. There is a division, rather than a co-ordination, of power, and there is a serious conflict of interests in the present system. I would therefore restore to the *malguzar* his former powers and responsibilities. The rural administration will then become at once simple and inexpensive. The old patriarchal relations subsisting between the *malguzar* and the cultivator being restored, the former will become at once the bulwark against oppression upon the people and the exponent to the people of the benevolent intentions of Government.

I would also suggest in this connection the expansion of the system of what is known as Conciliation Boards, both as regards sphere of action and the area. These Boards not only relieve officers of a lot of trouble, but will reduce the cost of litigation, increase popular contentment, and, consequently, the popularity of the administration. The Debt Conciliation Boards have worked satisfactorily in my province, but a resort to these Conciliation Boards should be optional with the people. The system will work automatically towards progress, and the Boards will have the strongest motive to work in a manner best calculated to inspire confidence among the people.

Small bounties given in time by the Divisional Commissioner to local genius, to men distinguished for their services to their fellow-countrymen, and to local indigenous institutions will go a great way to popularise the administration. Such bounties will remove the charge now so freely levelled against the Imperial Government of being impersonal. In former times Rajas used to mark their appreciation of local merit in a substantial way, and these grants will encourage local merit, as also small industries, and preserve from decay indigenous institutions. Commissioners should be able to do for the smaller Indian institutions what Lord Curzon did for the larger. Commissioners of divisions however impressed with the desirability of such bounties in the present administration hardly care to go up for sanction to the provincial Government.

District Officers have not that touch with the people which is so very essential for proper administration; not that the opportunities are rare,

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but that they have not much spare time for social intercourse with them. Besides, much depends on the temperament of the officer. Some District Officers do freely mix with the people, while others, either from temperament or pre-occupation with more congenial diversions, are more reserved and retired.

District Officers have a fair knowledge of the vernaculars, but they might well improve their knowledge by a freer intercourse with the people.

Improvements in municipalities and District Boards are sometimes forced upon the bodies, irrespective of their capacity and wishes, and necessitate the imposition of additional taxation, creating discontent. They must be left to a large extent to the local bodies, both as regards initiation and execution. In the case of petty municipalities there should be a confederation, and those of one sub-division should act under the guidance and direction of a joint Board. The imposition of taxation should be dependent upon the advice of the Divisional Advisory Council, and in all matters connected with the district administration the people should be carried along with the Government. Official enthusiasm for progress and precision must not always carry everything before it, inasmuch as sometimes, apart from the intrinsic merits of the suggested improvement and the cost involved, the procedure alone is enough to excite popular antipathy and opposition. The Local Government in my province is amenable to popular influence to a degree which is refreshing. The local authority has uniformly been anxious to make allowance for the conservatism and the susceptibilities of the people; but there is a difficulty and a danger ever present before officers recruited in a country where material civilization has made enormous progress. The officers are naturally imbued with large ideas of progress, which, apart from local conservatism, are, as often as not, unsuited to the capacity and the circumstances of the people. Improvements must be made, but they should be gradually introduced with caution, circumspection, and a proper regard to the wishes, feelings, and the capacity of the people.

I am in favour of creating Divisional Advisory Councils. Such Councils should be composed of 12 members each, half of whom should be selected by the Local Government and the other half elected by the various local bodies, the professions, the classes or communities not adequately represented on the local bodies, and the trades. These members should be consulted by the Commissioners by letter on all large schemes of improvement and taxation. On special occasions they may be required to attend meetings at the Commissioner's bungalow.

25573. You tell us that it would be well to have an Advisory Council for the division?—Yes; I would not like to have an Advisory Council for the Deputy Commissioner.

25574. You say the provincial Governments ought to have greater autonomy than they have in the matter of famine and that in actual practice the report of a patwari may determine the fate of a whole village. In this province you have had considerable experience of famine?—Yes. With regard to suspensions and remissions and so on, the *malguzar*, who is interested in the matter, ought to be consulted; I speak more generally of suspensions and remissions when I refer to the patwari.

25575. In the case of famine, have there been actual cases where the failure of one of these patwaris to report has resulted in a particular village not being relieved?—I cannot give specific instances.

25576. You speak of light railways, and that Local Governments should have greater freedom in initiating them. Could a Local Government get the funds locally?—They can borrow to a certain extent. It has to be tried yet; there are some *malguzars* and raiyats who might be able to give some money on loan with a Government guarantee.

25577. Do you mean a guarantee of the Government of India or of the Local Government?—It would be all the same any way; if the Local Government gives the guarantee it is all the same binding upon the Imperial Government.

25578. You say that you regret the destruction of the old village communities, and you speak of the assumption of larger powers by the District Officer; do you suggest that the District Officer has larger powers than he used to have?—Yes. Some time ago, when the province was first formed, there was more personal Government than there now is.

25579. (*Sir Frederic Lely.*) Are you a *malguzar*?—Yes, of about 200 villages.

25580. Does the village panchayat exist in these days?—It exists among certain castes.

25581. You have caste panchayats for dealing with certain caste domestic questions, but is there any united action on any matter among the villagers?—Whenever there is a question about taxation; sometimes there is.

25582. Is there combined action of any kind?—Yes to a certain extent.

25583. Do you think it would be possible to commit the management of any village affairs to representatives of the villagers?—Instead of giving over the management to representatives of the villagers I would rather have it based upon the system prevailing in Conciliation Boards, where there is a Government officer and some men of the villages to form a panch.

25584. You think that village action is not possible without some connection with Government authority?—I think so to a certain extent.

25585. (*Mr. Dutt.*) You would like the Heads of provincial Governments to lay down the general principles of administration, leaving those general principles to be worked out by the Commissioner and Deputy Commissioner?—Yes, in consultation with the leaders of the people.

25586. You say that official tours are not an unmixed blessing, but you admit that official tours must be undertaken. What remedies do you propose to do away with the inconveniences now caused?—You might have big villages chosen where there are shops and provisions to be had, where the officers could go into camp. That would save the people a great deal of trouble; it is not only the money but the scarcity of labour that causes the *malguzar* very much trouble. He has to do much more than can reasonably be expected of him. I think also that there might be some improvement in the matter of the location of Sub-Divisional Magistrates; that would go a long way to minimise the evil. As there is a good deal of experience now, a good deal of uniformity in the working of the administration, and greater facilities of communication, I would rather enlarge the charges of the District Officers and Divisional Commissioners, so that they would have more scope for their powers.

25587. Is not the size of districts already very large in the Central Provinces?—I do not think it will matter if there is still further extension in that direction.

25588. You say that you would not curtail the right of appeal; will you state your reasons?—There is some satisfaction to the people when there is a right of appeal. In the matter of income-tax especially, we find here that the original estimate of a man's income is generally made by an assessor; these assessments are made every year; it is very troublesome to the people, they are very much vexed, and the assumption is that because there has been general growth in a particular year there has been growth in income, in spite of the fact that there may have been actual loss. It is better that the right of appeal should exist.

25589. You apply the same principle to appeals of other kinds?—Yes.

25590. You say that you regret the destruction of the former village system, with the *malguzar* as the unit of administration; at present there is a *mukaddam*?—Yes, and a *gomasta* and a patwari; he is paid by the *malguzar*, but the *malguzar* has no control over him. He is virtually a servant of the police; he is under the police, and he is

virtually a servant of Government, but *malguzar* has to pay for him. As to who is the responsible unit, I really do not know whom to say.

25591. You propose that in any sort of village organization the position of the *malguzar* should be recognised?—If his position was recognised, the people would look up to him, and the Government could also hold him responsible for any disturbance in the villages, and the administration would be rather simplified.

25592. When you have recognised the position of the *malguzar*, and made him either the *mukaddam* or the village headman, would you suggest that other villages should form a panchayat to help him in his work?—I think not; if civil powers of a simple character were given to him, there ought to be such a panchayat, but for ordinary work it is not necessary.

25593. Would you suggest that some civil power should be given to the *malguzar* assisted by some respectable villagers in advanced villages?—Yes, but that should be attempted first with the help of Government officers and then, gradually, their assistance should be withdrawn.

25594. In that way a great many of the petty cases which now come up to the Civil Courts might be dealt with locally in the villages?—A great deal of progress might be made in that direction.

25595. Would you make the decisions of the village panchayats final in small matters?—Yes.

25596. Would you vest the panchayat with small criminal powers also?—Not just now.

25597. You have suggested that certain powers now exercised by the Local Governments might be delegated to Commissioners. Will you briefly mention one or two important matters in which such delegation might be made?—As regards the municipality or District Council, there are many matters which have to go up to the Chief Commissioners, and they take up time. In an important matter it will take two or three months to receive a reply; all that red-tapism has to be gone through. Some of those powers might be given over to the Commissioners.

25598. You have a District Board now in every district. Would you suggest that the members of the District Board should be utilized some times by the District Officer in obtaining advice on certain matters?—Yes, they might make a selection from the District Board members; there are others also who are equally intelligent, who do not care to come to the Council, but whose advice would be valuable; these men might be called in and consulted.

25599. Would you like the consultation to be periodical, or when the necessity arose?—When the necessity arose.

25600. (*Mr. Hichens.*) You recommend that the provincial Government should be given further powers in regard to the control of emigration; what is your reason?—On account of plague and on account of other matters, our agricultural labour is becoming very scarce and dear. There will be a time probably when it will be impossible for us to get agricultural labour in the villages; and as land revenue is the principal item of income of Government it might suffer to a certain extent.

25601. Your point of view is that each provincial Government ought to be allowed to control itself the emigration of the members of the community into other provinces?—That is my view. They might see also that there are congested localities, and they might make an attempt at re-distribution where any facilities for the purpose exist.

25602. Would it be a sound thing that the Deputy Commissioner should be Chairman of the District Board more frequently in this province?—Where there are other men who are competent I do not see any necessity for the Deputy Commissioner to preside.

25603. You do not think that he should take part in the work of the Board, and associate himself with it more than he does?—Where there are competent men he should not officially interfere in the working of the Councils.

25604. He has a wide experience?—Certainly; he should be kept acquainted with all the proceedings, but his presence on the District Councils is not necessary.

25605. (*Mr. Meyer.*) You desire that the Local Government should be given larger discretion in regard to the administration of famine; do you mean that they should have more funds at their disposal, or that they should be able to adopt any system of famine relief that seems good to them?—They should have more funds at their disposal. I cannot answer the question in detail, because it is only those who are in the secrets of Government who can answer it properly.

25606. Are you aware of the recent arrangements by which the Government of India have given the provincial Governments much larger resources for dealing with famine?—Yes, I have heard that about a years or two ago some new arrangements were made, and I hear they are very satisfactory as far as the provincial Governments are concerned.

25607. You say that Local Government can judge better of the prospects of productive works than the Government of India. Is there not always a danger of people who are interested in works taking a sanguine estimate of what they will bring in?—But, all the same, they have to be responsible to the Supreme Government and also to the public, so that instead of being more sanguine they have to be more careful.

25608. Have you never heard of works which were estimated to bring in a profit ending in a loss?—That applies to everything; probably if the Government of India were consulted they might make a mistake.

25609. But a central outside authority is less likely to be carried away by local enthusiasm than a Local Government?—That is more or less applicable to all systems.

25610. What do you mean precisely by "the protection of local industries"?—I mean industries such as the brass industry here and in Bhandara, or the lace industry in Berhampore. Something might be done to keep up those industries, if Commissioners were given some power to help them.

25611. You say that every province ought to be at full liberty to restrict the movement of its population. Some provinces want populatioin, and they must get it from other provinces?—We are concerned primarily of course with our own needs and requirements, and we cannot afford to send our population to other places and at the same time starve ourselves.

25612. This is a province with great possibilities in the matter of mineral industries, for instance?—Yes, and we say that on account of the plague and so on we have lost a great deal of population; most of our coolies have been taken away to Assam and other places.

25613. For your new industries possibly you would want labour from Bengal and Madras; you would not have liked the Governments of Bengal and Madras to say that their labour should not come to you?—If they have surplus labour they would like to help us; if they have no surplus labour, it would be rather bad for us to expect labour which is useful to them.

25614. You are in favour of a reduction of taxation, speaking generally?—Do you think you would get more reduction of taxation from the Local Governments if they had a free hand or from the Government of India, under the present system?—That is a very difficult question to answer.

25615. Do you think the salt tax would have been reduced, as it has been in recent years, if it had been a provincial tax which the Local Governments could have dealt with as they chose?—Our local needs and requirements are better known to the Local Government than to the Government of India, so that in the matter of local taxes at least we have more regard to local needs and requirements.

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25616. You suggest that more power ought to be given to the Local Government in the matter of land revenue assessments. Is light assessment more likely to come from Local Governments which may be in urgent need of funds, or from the Government of India?—With greater autonomy in this matter, the Local Government, unhampered by imperial control, might deal with the necessities of the situation more expeditiously and efficaciously than at present, and forthwith order reductions, remissions, and suspensions of revenue, which it might well hesitate to recommend to the Imperial Government in view of the fact that the revenue assessment is sanctioned by the Government on its recommendation.

25617. You speak of the centralization of administration as an evil; at the same time you object to any decrease in the facility of appeals. Is it not this very matter of appeals that has caused a great number of uniform rules and resolutions?—I do not know whether it is appeals only; it is the system.

25618. So long as there is an appeal against everything a man does, will he not stick to the letter of the law?—But commonsense to a great extent will be the deciding factor.

25619. You would like to give the Commissioner larger powers of control; do you include in that control over the municipalities?—Yes. The Commissioner might do that instead of the Local Government.

25620. You say, "The necessities of the Imperial Government create a zeal among the subordinate Governments which is gradually communicated to the District Officer." Do not subordinate Governments get half the money?—But the Imperial Government gets the other. The income tax is divided between the Imperial and Local Governments.

25621. You think the Local Government does not care about its share, but it is actuated purely by a disinterested zeal that the Imperial Government should get more?—When there is pressure from above, there is that desire.

25622. Are you aware that the Government of India issued a circular, a few years ago, drawing the attention of the Local Governments to the undesirability of their officers being too rigid in the matter of income tax?—I know also that here we have been agitating in vain against assessments of income tax. They are very obnoxious to the people, and we have been agitating for triennial assessments; we think that triennial assessments would give us more relief than the yearly assessments now do.

25623. You say the *malguzar* is now only a farmer of revenue; was it not the other way round; did we not find the *malguzar* a mere farmer of revenue and make him a landlord?—That is so, but I am speaking of his powers. You have divided power among so many men that no actual power rests with the *malguzar* now, either for good or for bad; he is a collector of revenue only. In these executive matters I would make him the unit of administration; and if you give him some small civil jurisdiction, I would associate with him a panchayat, in small matters in the beginning, and under Government control.

25624. The panchayats would be mainly his tenants?—Yes, but they are not always led by him.

25625. You do not think that, if he said a particular thing, they would all say the same?—I think not.

25626. We have been told repeatedly that a Deputy Commissioner or Collector ought not to be a member of the District Board because all the other people will be frightened of him; you do not think that that would apply to the *malguzar*?—No. The general opinion is (and it is confirmed by the reports of Government officers in many instances) that the tenantry here is much too strong for the *malguzars*.

25627. The Conciliation Boards you speak of were initiated by the Government?—Yes.

25628. And they work satisfactorily?—Yes.

25629. You are in favour of allowing the Divisional Commissioner to give bounties. How is he going to determine who deserves a bounty and who does not?—He has the best means of deciding: he knows the district; he knows the people; he knows the work; he has the greatest knowledge; and he will know the amount of good that these small industries are doing to the people.

25630. Bounties are to be given also "to men distinguished for their services to their fellow countrymen"; is the Divisional Commissioner to appreciate those?—Yes. In many matters where a man has done good work in the municipality or District Council it will be some encouragement to him if he receives appreciation from the Commissioner; it would also make the Government more popular.

25631. You have heard the story of a king of France who said that when he bestowed a favour he made one ungrateful friend and nine enemies; would that apply to the Commissioner also?—That could be said with greater force of a Government that show nothing in the way of appreciation of meritorious public service.

25632. With regard to the Advisory Councils, are they to be purely advisory?—For the present I would limit the work of the Councils to advice only.

25633. What is to happen if the Commissioner disagrees with his Council?—For some time, until he finds that his Council works well, I would not fetter his discretion by making the opinion of the Council binding on him.

25634. (*Sir Steyning Edgerley.*) Your remedy is to try and develop the village system and local self-government, and you think that a great many powers could be delegated from Commissioners. Will that not have to be a very gradual process?—It will be a gradual process of course.

25635. You will have to alter the laws?—Yes, the laws will have to be altered.

25636. Have you thought about how to do it?—Would you be in favour of a general Act of delegation enabling that to be done gradually, or would you legislate specifically from time to time?—I think there ought to be legislation for certain powers to be given, and those powers might be handed over by the Chief Commissioner. Power might be given in the law to the Chief Commissioner to delegate those powers, when he finds that there is necessity for it.

25637. That would be giving the Chief Commissioner a general power to delegate as the situation developed?—Yes; and then I would further recommend, judging from what is being done in several provinces, that there might be certain powers given by specific legislation also.

25638. Will you explain that?—It depends on the work done by municipalities and District Councils in the several provinces. If there are many municipalities and District Councils which are working well in a province, powers in that province might be at once given by legislation.

25639. You could not have an Act for every municipality?—No.

25640. They would all differ; you want to delegate more power here and less power there, and so on?—Yes.

25641. Should that be done by actual specific legislation, or by a general power to delegate powers as needed?—I should prefer a general power to delegate powers as, and when, needed.

(*The witness withdrew.*)

Mr. M. K. PADHYE was called and examined.

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25642. (*Chairman.*) What is your profession?—I am a pleader and a journalist, residing in Nagpur.

Provincial Governments may be, with advantage, given greater power generally over revenues and their expenditure. But in lieu of relaxation of the present control from above, popular control may be substituted. If budgets are allowed to be discussed in detail, and if an item objected to by the $\frac{3}{4}$ths of the non-official members be disallowed, or some such powers duly safeguarding the interests of the Executive were given to the provincial Council, or the body before whom the budget would come for discussion, decentralization in this respect would be very advantageous.

Government should advance loans to save estates under the Court of Wards and not only guarantee loans borrowed from others. Government could do so at a rate of interest lower than is available from professional bankers.

No curtailment of the present rights of appeal is desirable.

Officers are not in touch with the subjects over whom they are to rule. The racial difference—social manners—and the natural pride of the members of the ruling race is one of the chief impediments that has made the Administration mechanical and unsympathetic. This is the case with higher and European officials. The lower grade Native officials take their cue from the higher ones and are afraid that their familiarity with the people will be misconstrued. The Executive Officers have opportunities to mix with the people. But for the above obstacles they could make time for personal contact. They possess sufficient knowledge of the vernaculars.

If Native officers are appointed in higher appointments money will be available to increase the staff. The increase is required, if it could be had without making the Administration more costly. For instance, a Sub-Divisional Officer should be located in each sub-division. This would require one officer for each sub-division in addition to some at district headquarters, which is not at present the case.

Not only is care in the selection of officers required, but at present even Assistant Commissioners of two or three years' standing are put in charge of a district. There should be a rule that an Assistant Commissioner should not be made a District Officer unless he has some eight years' service.

Transfers are much too frequent. Districts can be mentioned where within ten years some 12 or 15 District Officers came and went. An officer should not be transferred from a place within three to five years.

The local self-government introduced by Lord Ripon has on the whole worked satisfactorily as the very official reports go to show. If more powers are now given and less interference is made with their affairs, people would be able to take interest in responsible political life. At present educated and ambitious Indians find no interest in these affairs as most of them are much too petty, and in respect of them too, there is often irritating interference. To check corruption and fraud the superior authorities should even more than at present watch the work of these bodies, but beyond that, their interference should be minimised as much as possible.

Administrative Council for District Officers should be formed. The Council should have power of interpellation, and its proceedings should be reduced to writing and votes taken. The members may be chosen with the assistance of village unions and town municipalities and *taluka* Boards, but the election need not be confined to their members only. The District Officer may also nominate some of the members of his Council with the sanction of the superior authorities. The District Administrative Council may consist of—The Deputy Commissioner—*President*: 2 members nominated by Government: 2 members from municipalities or Local Boards. It should be given responsibilities in respect of the following matters:—Regulation of processions and disputes regarding ancient usages and customs, &c.; whether liquor shops should or should not be opened in particular localities: the introduction of sanitary or other measures likely to affect the sentiments and prejudices of the people; the supervision and control of municipalities and village panchayats; the final assessment of income-tax and its realization by way of penalty; the remission and suspension of land revenue; municipal matters, regarding which the District Officer deems it necessary to veto municipal resolutions; other like questions of public importance and not purely administrative.

It would be useful to invest District Boards with powers of supervision and control over minor municipalities and village unions.

Village communities in an agricultural country like India have been of more than ordinary importance. Their existence is now only traditional. The headman is no longer president of the community. The village accountant or the *kotwar* are no longer the servants of the village communities. The landlord or *malguzar* is a commission agent and a proprietor. The rights of the people in regard to village management have been ignored. The tenants may have some rights over the village, jungle, &c., but landless men, such as artizans have got no status. The laws could be so modified as to revive the village panchayat with the *malguzar* as its president, some respectable tenants and artizans, &c., as members, and the *kotwar*, patwari and *mukaddam* as its executive officers. This panchayat may be more elective than nominated, the Government being authorised to provide minorities. If villages be small, four or five may be grouped together to constitute a panchayat. The village officers such as patwari, *kotwar* and *mukaddam* may be paid partly by the village and partly by the Revenue Department whose servants they also are. Petty civil and criminal cases could be better decided by these panchayats. In this respect they would correspond to the Benches of Honorary Magistrates, with the difference that, being elected by the people, they would command more respect. Civil and criminal cases decided by these Benches should be subject to appeal on a point of law only. In educational matters they may act as committees for securing the attendance of boys in schools, the direction in this respect being in the hands of the Director of Public Instruction or the Board of Education. They may also act as village sanitation committees as at places they at present do. They may be of assistance to the police for the prevention and detection of crime, as they would be for the collection of revenue. Takavi loans would be better made in consultation with them.

25643. Why do you say that the Government should advance loans to save estates under the Court of Wards and not guarantee loans borrowed from other people?—In this province the money-lenders are encouraged to advance money to save encumbered estates; their money should confine itself to more risky enterprises.

25644. Why should the Government advance the loans?—To save the estates. If the members of the late Royal House here are to be spared, their estates will have to be saved. At present some big money-lenders are asked to advance loans, Government giving a guarantee.

25645. Then what is the difference between what you suggest and the present practice?—If those money-lenders had not this inducement, they would have gone to more risky enterprises. Their money should not be locked up in secure concerns requiring no skill; Government, which is not able to look to mercantile concerns, might give their own money for this purpose.

25646. You say that officers possess a sufficient knowledge of the vernacular?—I think so. They speak in a sort of Hindi; they may not be able to give lectures or address the people in regular assemblies, but they understand enough to get on.

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25647. Do you think that the insufficiency of their knowledge is an obstacle between them and the people in the districts?—No, I think not.

25648. You tell us also that the subordinate officers, taking their cue from the higher ones, are rather stand-offish. Is that general?—Yes.

25649. Have you been a member of the municipality or the District Board?—No, but I had to study the working of local self-government at times when I was connected with a journal.

25650. You suggest that a District Officer should have an Administrative Council; do you propose that it should be in substitution of the existing District Council?—That is my idea. The present District Council has quite different duties, and if all these other duties were added they could not be performed by the District Council. I propose a small Council—not a very big Council that would be a debating affair—but a small Council which should be quite different from the District Council.

25651. You say that the village panchayat would have to be revived?—Yes, at present the village panchayats are almost dead; for all effective purposes they are not existing.

25652. (*Mr. Meyer.*) Is the Council you propose to carry things by a majority, or is the Deputy Commissioner to have any power of over-riding its decisions?—I think he should have power of over-riding, upon recording his reasons.

25653. Would he do that on his own responsibility, or would he report to the Commissioner?—He may do that on his own responsibility.

25654. Amongst the things you desire to hand over to the Council is the final assessment of income tax; would it be quite safe to hand over that?—I say the "final" assessment. So far as theory goes, the income tax is levied on the advice of assessors; what happens at present is that after a list is prepared the District Officer goes over it, and if he finds that it does not come up to a particular figure, the figures are raised. If these figures are to be raised, they should be raised in consultation with this Council.

25655. The law contemplates each person being assessed according to his income?—That is true.

25656. You think that that is not carried into effect?—I think not; I could give you an instance. The original list shows, say, Rs. 10,000; it may be raised to Rs. 12,000 or Rs. 15,000 because the collector considers the total for the district below his expectation. When that is to be done it should be done in consultation with the Council.

25657. The Council should first decide what amount of income tax a certain *tahsil* should raise, and then the tahsildar would distribute it; is that what you mean?—No, that is a system of farming, which I do not advocate at all.

25658. In the matter of land revenue you say that the Deputy Commissioner should be able to over-ride the Council. Is it not possible that your two elected members, knowing that the Deputy Commissioner could over-ride them if necessary, might seek popularity by voting for large remissions?—No doubt; that would be so in all popular Governments; some do seek popularity in that way.

25659. Would you give a similar Council to the Commissioner?—I do not think it is necessary in our province, at present at any rate.

25660. If the Deputy Commissioner had such a Council, would you give him larger powers than he has at present?—Yes.

25661. Without the Council, would you give them to him?—No.

25662. (*Mr. Hichens.*) Do you want to have an Advisory, as well as an Administrative, Council?—No, not in addition to the other.

25663. As a matter of fact, your District Council is really an Advisory Council?—Yes, with this difference. The Advisory Council may be a paper affair only; there should be regular meetings and regular proceedings, whether you call it by this name or that.

25664. Mr. Chitnavis is in favour of Councils for Commissioners and not for Deputy Commissioners; you on the other hand are in favour of Councils for Deputy Commissioners and not for Commissioners?—I am speaking of my own province. I find the Commissioner has very little separate duties—duties which come to him not through the Deputy Commissioners or not through the Chief Commissioner; he is more or less an intermediary; therefore I should not give him a Council.

25665. Have increased powers been given to District Boards of recent years?—I think they have not been granted.

25666. We have been told, for example, that they have been given power in regard to veterinary work and vaccination; do you know if that is the case?—I do not know, but I should like to show how it was curtailed. Soon after the passing of Lord Ripon's Act a number of our educated people went in for these things, and in one district (Wardha) a certain local pleader took exceedingly great interest, like a special District Officer, but ultimately he had to go out because the powers were curtailed—curtailed not by law, but by practice. There was a difference between the District Council and the higher officers as to the allotment to be made for educational purposes; the whole Council was in favour of giving larger amounts to educational matters, and the higher authorities did not like it; that resulted in the resignation of this gentleman and the rest of the gentlemen taking less and less interest.

25667. Would you say that possibly their functions have been increased, but their powers of carrying them out have not been increased at all?—That is what I mean; the people may not be in a position at once to take extensive duties, but you might entrust a few small matters to the people, calling them to account if they do anything amiss. I do not want to increase the number of items, but to give a few items with full powers.

25668. (*Mr. Dutt.*) You say that the Sub-Divisional Officer should be located in his sub-division; what are your reasons for that suggestion?—He would be more approachable. At present all the Sub-Divisional Officers are loacated in the district, and it means nothing but a distribution of work, but if the officer were to be in the sub-division he would be more approachable by the people.

25669. You say that at present even Assistant Commissioners of two or three years' standing are put in charge of districts; is that frequent?—I am speaking of my district.

25670. I suppose they were merely temporary appointments?—I do not know; there have been 15 officers in 10 years, or something like that.

25671. Among the matters which you would refer to the Administrative Council of the District Officer, you mention the question whether liquor shops should or should not be opened in particular localities?—Suppose there is a temple, and near the temple you have a liquor shop, the two as it were competing with each other, one demoralizing and the other moralizing; that sort of thing ought not to happen, and if the temple people objected the question should be decided by this Council.

25672. You also include in that list "supervision and control of municipalities and village panchayats." Is it your idea that the District Officer, with the help of the Advisory Council, should keep a general control over all these municipalities and Boards within his district?—Yes, and, just as he at present divides the work between the Sub-Divisional Officers, he might divide the work between several members.

25673. You say also that District Boards should have power of supervision and control over minor municipalities and village unions?—If the Council I proposed was granted, there would be overlapping.

25674. The functions of the District Boards being quite different from those of municipalities, do you think that the District Boards are altogether suitable bodies to supervise the work of municipalities?—I think not.

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25675. You say the *malguzar* should be the president of the village community; is there a *malguzar* in every village?—Some are not resident *malguzars*.

25676. You do not insist that a *malguzar* who has 200 villages should be president in all those villages?—You could not insist on that.

25677. There might be other respectable people better fitted for the post?—Yes.

25678. What do you think should be the relation of such a panchayat with the police?—The police should not have any control over the panchayat.

25679. You say that they would be of some assistance to the police for the prevention and detection of crime; what kind of assistance do you suggest that they should render?—If the police wanted to make enquiries in a particular case the panchayat could say whether the suspected man was of a particular character or not.

25680. At present what is the position of the village *mukaddam*; is he subordinate to the police?—I do not know whether in law he is, but he is the person who is required to make enquiries, and secondly he is the person who is required to give information; in that way he is subordinate.

25681. You would like to do away with that?—Yes, that should not be the duty of the village panchayat.

25682. (*Sir Frederic Lely.*) You say that European officers are unapproachable; do you speak from your own personal experience?—If one forced one's self upon them of course they would not be unapproachable; I do not mean that a pleader is often evaded, but they are not approachable to the people at large.

25683. Have you called upon the Deputy Commissioner at Nagpur?—Yes.

25684. Have you been received politely?—If instances are wanted I will give you this. I was required to take off my shoes by an Assistant Commissioner. I had to make a protest; I had to make an application afterwards to get it declared that my dress was proper; I do not consider that was courteous treatment to me.

25685. Would you have the village headman chosen by the community?—Yes.

25686. Then if, as you say, the community does not recognise the headman, whose fault is it?—But the communities are in no way recognised by law or practice, and they are dwindling away.

25687. But a village is an institution quite irrespective of recognition by Government?—If Government does not recognise them the panchayats do not come in properly except in caste disputes.

25688. The existence of a village as a corporate body does not depend on itself?—I should think it does, at times.

25689. You go on to say that the village accountant and the *kotwar* are no longer the servants of the village community; does that mean that you think they should be paid by the village communities?—They are paid through the provincial Government, which realises the amount along with the land revenue.

25690. Do you think that they should be paid by the communities?—They were originally so paid, and provided they are their servants they should be paid by them.

25691. Then you also say that landless men, such as artizans, have got no status in the village; had they any status in the old days?—I do not know.

25692. Are you aware that in some parts of India the name by which the artizans go means "outsiders"?—I am not aware of that.

25693. You would entrust the village as a whole with a good deal of authority, but under the inspection and superintendence of Government officers?—Yes. I would not give them any absolutely independent authority.

(*The witness withdrew.*)

Rao Bahadur VASUDEO RAMKRISHNA PANDIT, M.A., was called and examined.

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25694. (*Chairman.*) You are a member of the District Council at Nagpur?—Yes. I am a Barrister and have practised in the Judicial Commissioner's Court for the last ten years. I have been a member of the District Council at Nagpur for the last 7 years, and I have worked as its Secretary for several periods and am now its Vice-Chairman since 1906. I have been Secretary to the School Board at Nagpur since its foundation.

The financial relations between the Government of India and the provincial Governments have recently been readjusted. In questions such as famine and irrigation the provincial Governments should, however, have larger financial powers.

The relations between the imperial and provincial finances render the latter insufficient security for any loans that might be incurred or raised by the provincial Governments, and the contract terms would probably prove more onerous than those on which the Imperial Government raises them. There is, however, a likelihood of local capital being available for remunerative works of local importance, such as light feeder railways and irrigation works. Municipalities and District Boards in other provinces are empowered to raise loans, apart from those which are received from the Government, and there is no reason why the provincial Governments should not be able to raise them. The guarantee of the Imperial Government should be offered, and in return a close supervision maintained by it to ensure that the power is neither abused nor permitted to tempt the provincial Governments into extravagance.

In provinces provided with a Council the provincial Governments should have delegated to them the powers recently granted to the Government of India, except in the case of appointments of Europeans, in respect whereof the sanction of the Secretary of State should, as at present, be made compulsory. The Heads of Imperial Departments should have powers similar to those possessed by the provincial Governments.

Commissioners are at present consulted in most matters, but I should like to see them exercise greater influence. They are in touch with the people of their divisions, have experience of district work, and in many cases have worked as Deputy Commissioners in many of the districts in their divisions. They have also a wider outlook and while possessing local knowledge are generally free from local prejudices.

Executive officers are not, it is true, tied down to their headquarters, but the quantity and complexity of their desk work does not leave them sufficiently large opportunities for personal contact with the people in relations other than those of suitors. In consequence of the distance at which they usually are from rural areas within their charge there are fewer opportunities for the people of meeting them, even if they are free with them. Add to these difficulties the obstacles arising from race-distinctions, from imperfect knowledge of social habits and customs, and from want of sympathy.

The Deputy Commissioner, in most districts, is relieved of active participation in the deliberations of Municipal Committees and District Councils. This should be the invariable rule. Such duties as those under the Registration Act and the Stamp Act might also be taken off his shoulders and entrusted to other members of the district staff. Under several statutes the powers possessed by him are delegated to selected Assistant Commissioners and Extra-Assistant Commissioners, but he still has to forward their reports to the higher authorities, and since such higher authority has independently to satisfy itself regarding the cases, the trouble entailed upon the Deputy Commissioner is unnecessary.

Sub-Divisional Officers should be placed at the headquarters of their sub-divisions, and to compensate them for the loss of social advantages free-quarters and a local allowance of Rs. 100 per mensem should be allowed to them. They will thus

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come into closer touch with the people of their charge, and this will, to a certain extent, remedy the defect of race-aloofness. European society at headquarters, however small, tends to become exclusive. The sympathy of the Civilians of thirty years ago and their intimate knowledge of Indian society are not without reason attributed to the necessity they felt of satisfying the natural craving of man for society by associating with those among whom their lot was cast. Conscientious efforts will, however, still be necessary on the part of the members of the ruling race to subdue race-prejudice, to regard with a more tolerant spirit the social habits and customs of the people and to inspire confidence in them. I am very far from denying to Executive Officers the credit which is justly their due for the conscientious and even zealous discharge of their duties towards the people. Nor are there wanting instances of officers who, in spite of all those difficulties, have earned the good will of the people.

The senior Executive Officers are as a rule sufficiently well acquainted with the languages of the country to understand, though there would not be many who would be able happily to express themselves in any vernacular save Hindustani. The staff is at present not sufficient for efficient administration, especially of Sub-Divisional Officers.

An officer should not be transferred in less than three years from one place to another, and ordinarily he should be kept on at one place for five years. The provincial Government should more freely appoint officers of the Provincial Service (to avoid transfers of Covenanted Civil Service) to fill up a vacancy for six months or thereabouts, caused by the temporary absence on leave or deputation of a member of the Covenanted Civil Service.

The time has come for enlargement of the powers of Municipal Committees, District Councils and Local Boards, though the compulsory authority of Government should always remain in the background. The interferences with the budgets framed by them should be resorted to only in cases of gross abuse. The Deputy Commissioner should make suggestions, but the power of veto should be exercised only by the higher authorities. The election of members on the School Board should not be subject to the veto of the Deputy Commissioner. The real need, however, in connection with District Councils and Local Boards, at any rate, is the enlargement of the funds at their disposal. They have no power or voice in the matter of taxation. The execution of works is not left entirely to them. In many cases such works when entrusted to Local Board members living in or near the localities have been admirably performed.

The formation of village unions or even village panchayats, one for each group of villages constituting a patwari circle, with much larger resources and with greater trust reposed in them, would give reality to local self-government in the eyes of the people, would evoke greater public spirit for the workers, and give better training in the management of communal affairs. The powers of deciding petty criminal and petty civil disputes should be given to village panchayats at first in selected areas and gradually extended to other localities. This would create an interest in local self-government, especially if the franchise to return persons to the village panchayats is not limited to the classes to which it now is.

I would suggest the formation of Administrative Councils with representatives from Municipal and District Boards and nominees of the Government, to whom should be entrusted the responsibility for finally deciding upon such matters as the following:—

(1) Final decision as to assessment of income-tax and the levy of penalties for defaults in the punctual payment thereof.

(2) Matters relating to religious sentiments, social customs, &c., of the people, *e.g.*, plague measures, location of liquor shops, ancient customs, &c.

(3) Remission and suspension of land revenue.

(4) All matters affecting the public wherein the gauging of the minds of the people is necessary.

25695. You tell us that there is a likelihood of local capital being available for local enterprise, such as feeder railways and so forth. Is there actually, in existence, such capital now untapped by loans of the Government of India?—There are a number of people who are not attracted by loans of the Government of India, who would be attracted by local loans; they would be in a position to see that the projects would be fairly remunerative, and perhaps they might get a little more.

25696. They would expect to get a rather higher rate of interest from the provincial Government than they would from the Government of India?—That may be one of the contingencies, but even apart from not getting better rates than those given by the Government of India, some people might be moved to take a greater share in supplying capital for such enterprises. With regard to Government paper, although there is no doubt a great deal of confidence, yet there is a class of people who might be induced to invest their capital which they do not now invest in Government paper, if they knew that it was going to be applied for purposes which they could conceive of in a more concrete form.

25697. Do you propose that the provincial Governments should raise those loans locally, and then the Imperial Government should step in and guarantee the bond-holders?—I am not an expert with regard to these financial matters, but the financial position must ultimately depend on the Government of India, there being only certain percentages of revenue allowed to the provincial Governments at present, and the power of levying certain taxes being controlled.

25698. But would the local lenders only advance money if the guarantee of the Imperial Government was behind the loan?—I do not think it would affect them very much whether it was the guarantee of the provincial Government or the guarantee of the Imperial Government so long as there was a guarantee; but, as I took the conditions of finance to rest ultimately with the Government of India, I suggested an Imperial guarantee.

25699. Have you ever heard it remarked that the sums which the Government of India ask for are asked for in too large bonds?—The minimum loan that can be advanced now is Rs. 100. I have never heard any complaint on that point.

25700. You tell us that these loans might perhaps enable the Local Government to construct irrigation works or something of that sort in districts which otherwise could not get them. All that would depend upon the rate at which the provincial Government could borrow?—It would, but it might encourage capitalists to bring capital.

25701. Who is the Chairman of the Nagpur District Council?—The Honourable Mr. Chitnavis is the Chairman.

25702. In your opinion has the system of non-official Chairman in the Central Provinces worked well?—I think it has worked most creditably and consistently.

25703. And the District Council have done their work well?—Yes; where powers have been allowed to them they have done their best.

25704. Do they work here by sub-committees?—We have sub-committees and meetings of the Council almost every month.

25705. Who prepares the budget?—The budgets are prepared from statements of their requirements sent in by the Local Boards; those are collated in the office, and the Secretary puts up a rough budget for the consideration of the Financial Committee; then at the meeting of the Council the budget is discussed, and the requirements of the various parts of the district are considered; then the necessary alterations are made, and the final budget is put forward and sent on to the Deputy Commissioner.

25706. Does the Secretary put the budget before the Chairman?—In some cases it is put before the Chairman, otherwise it is brought up before the Finance Committee; they consider it, and then it is brought up before the Council.

25707. Is it circulated to the members of the Council before the meeting of the Council, or do they come into the Council Chamber and find it ready for them?—With regard to outside members it is not circulated to them, but as to members at headquarters the budget is within their reach in the office and they generally go and see it; the Finance Committee, of course sees it before them.

25708. Is the Chairman of the Council the Chairman of the Finance Committee?—Not necessarily.

25709. Who is Chairman of your Finance Committee at Nagpur?—We have not appointed any Chairman yet; a Finance Committee is appointed, but there is no Chairman appointed; at the time we meet the Chairman is appointed.

25710. Supposing Mr. Chitnavis was present at the meeting would he ordinarily take the Chair?—Yes, ordinarily, unless there was any one with greater acquaintance with the matters under discussion who was considered fit.

25711. And if he was present at a meeting of any other sub-committee would he take the Chair at that?—I do not say that as a matter of course he would take the Chair; there is no settled practice on the point.

25712. Are the powers of the District Council sufficient?—I think they are not sufficient.

25713. In what way ought they to be enlarged?—Limited as they are at present, the execution of works and the executive control is entirely with the Public Works Department and the Head of the district under the orders of the Chief Commissioner passed under section 9 of the Act.

25714. Cannot the Chairman of the District Council carry out works which the District Council have approved of?—There is a rule that all roads of Classes I. and II., and all other civil works of the value of Rs. 1,500 and more, must be done through the Public Works Department, unless the sanction of the Government has been obtained for carrying them out departmentally; works of a smaller amount can be carried out through the tahsildar, the tahsildar being the agent of the Deputy Commissioner; the tahsildar is also President of the Local Board, so it may appear as done through him; he gets assistance from the Local Board members, no doubt, but the responsibility lies on the Deputy Commissioner and tahsildar as his agent for the execution of all works.

25715. The President of the District Council does not do them himself?—As I read the orders passed under the Act he cannot do them; it must be done through the aforesaid agencies.

25716. Does the President of the District Council go much about the district?—If he is a gentleman like Mr. Chitnavis he has opportunities of going about, because his own villages are scattered over the district and he visits them; but, of course gentlemen of professional occupations cannot be expected to visit the interior of the districts so frequently; none the less, there are gentlemen who do visit; I have myself gone to several villages and inspected schools and see what I could do.

25717. In what other respect should the powers of District Councils be enlarged?—By allowing them to start schools in more places, or to start pounds; at present this requires the sanction of the Deputy Commissioner and of the inspector in the case of schools. In practice there is no divergence of opinion, but still it necessitates a certain amount of correspondence and it restricts the powers, and there is no necessity for such restriction.

25718. Do the District Boards contribute to the schools?—Yes, all the rural primary schools are now under the District Boards. The provincial Government allots the whole of the Education Cess, which is part of the provincial rates levied from every village, to the District Fund.

25719. Then they contribute out of provincial funds?—No, from provincial rates, *i.e.*, cesses are raised for schools and for roads, and that income is transferred bodily to the District Council; the District Board has no other income of its own besides these cesses, and certain miscellaneous income from pounds, ferries, or roadside trees, fruits, and so on.

25720. Does the District Council not raise its own cess?—No, it has no power to raise cesses at all.

25721. Do the District Councils control the primary schools?—They control the primary schools subject to the control of the Education Department; expert advice is always required, of course.

25722. Is there anything besides the schools that you want to draw our attention to?—Yes, the District Councils have no powers of taxation or of raising money; there should certainly be some powers given to them.

25723. Would they use them?—They would use them. What is required is a network of village unions or village panchayats. At present the areas placed under the different Local Boards are too extensive to enable the members to take such a keen interest as they would otherwise take if they had to concern themselves only with matters of which they had an intimate acquaintance, and which, being nearer home and attracting the attention of their constituents, would make them take greater interest in public affairs.

25724. Would the fact of their being a panchayat and the members taking greater local interest induce the District Board to raise increased taxation?—Yes, there would be more works undertaken in which the various villages and localities are concerned than there are at present. For example, there are not so many schools as there should be; although the tax is raised from every village, there is no school provided except for a group of villages, and perhaps the school is located at some distance from several villages, so that the people there cannot take advantage of the school.

25725. If the villagers were told, "You shall have a school but you will have to have a little more taxation," would they welcome the school?—Yes, I think they would welcome the school; of course the whole maintenance of schools should not depend on the taxes paid by the people directly for that purpose.

25726. If the District Councils imposed taxation do you think that that would make them unpopular?—It would not, if there was popular control.

25727. (*Mr. Hichens.*) Can you carry out any work up to Rs. 1,500 without getting the consent of Government?—I do not think the sanction of Government is required for specific works, once they are provided for in the budget; but the limit has only recently been raised from Rs. 500 to Rs. 1,000.

25728. Has the Chairman got the power to make appointments?—The Chairman, as such, has got no powers; the Council has powers to appoint persons on salaries up to Rs. 15 per month; over that they have to get the sanction of Government.

25729. Is that new posts or filling up old posts?—New posts.

25730. Suppose, for example, that somebody retired who was earning a salary of more than Rs. 15, could the Chairman fill up that post without going to Government?—The Council could.

25731. If the Secretary resigns and a new Secretary has to be appointed, can that be done by the Council?—The Council elect the Secretary, but the election has to be confirmed by the Government.

25732. You say that the crying need is for an enlargement of funds. Do you mean that you have not got enough money to carry out the duties which are entrusted to you?—We have not got enough money to lay down a large programme, and that of course means not carrying out works which we ought to be able to carry out.

25733. What is the income of the Nagpur District Board?—The income for 1903-04 was Rs. 1,05,000.

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25734. Out of that had you to pay for roads and schools?—We had to pay for roads and schools and some contributions to veterinary dispensaries and hospitals. We have also to give a contribution to the Civil Surgeon who has a vaccination establishment under him.

25735. All out of this Rs. 1,05,000?—The maintenance of the staff and so on has also to be paid out of it.

25736. Do you have much control over the amount you spend on education, or is that practically decided for you by the Government?—The rule laid down by the Government is that expenditure on education shall not be smaller than the amount of the Education Cess, the school fees, and the amount of the special grant, if any, made by Government for the purpose, but we are at liberty to spend a larger amount if we like; only when we prepare our budget and allot a larger amount for educational purposes, the budget goes up to Government, and, if they think that other objects are being starved or not sufficiently attended to, they cut down the amount that we have put down for education. That has been done, I think. In some districts the complaint has been that a larger amount has been put down for education than should have been put down.

25737. You have two cesses, the Road Cess and the Education Cess?—Yes, and then there is a certain contribution made by Government out of provincial revenue apart from those two cesses.

25738. Is that a fixed sum?—No. In the year of which I am speaking there was about Rs. 17,000 placed by the Government at our disposal, with certain directions to utilize it for certain purposes. One portion was for the renovation, repairs and reconstruction of school buildings; another portion was for wells and so on.

25739. What is the amount of the Road Cess?—About Rs. 35,000.

25740. What is it in percentage of the land revenue?—It is 3 per cent.

25741. The Road Cess is 3 per cent. and the Education Cess is 2 per cent.?—All the cesses taken together are about 5½ per cent.—Road Cess, Education Cess, and what used to be known as the Dak Cess; these three were lumped together at the time of the resettlement and there is one contribution made by the villages; I think it is about 5½ per cent. all taken together.

25742. In practice this 5½ per cent. is collected by the Government each year and handed over to you?—Yes, but out of the Dak Cess a portion is retained and utilised by Government for the district post.

25743. Less a certain amount for collection?—No; they do not take back anything; the whole of it is transferred, except in the case of the Dak Cess.

25744. Do you want to collect your own revenue or would you leave that with Government?—I think the collection might be left with Government. Apart from certain market dues and cattle registration charges and so on, which might be collected by the village unions, any other enlargement of the income of the District Councils should come by means of collections made by Government. For example, out of the Rs. 35,000 collected as Road Cess, a sum of about Rs. 25,000 has to be at once made over to the provincial revenues for roads maintained by the Public Works Department in class 1 and class 2, so that the expenditure on roads through the District Council is only Rs. 9,000 or Rs. 10,000. That is on roads leadiing to villages and so on—annual repairs of roads giving routes through villages. The sum at their disposal is very small, so that the people of the villages cannot be expected to take much interest; there may be cases where only two days' labour is employed on a village track four miles away from a village; that would scarcely be a matter of interest to them.

25745. Would it be true to say that the bulk of your funds are earmarked before you get them at all?—Yes; that is practically so; in fact whatever latitude we get is out of the income derived from cattle-pounds; that is one of the largest sources of income that we have had, and it is an expanding source of income; the expenditure on it is not so large, and therefore it leaves a little more surplus and we are in a position therefore to undertake any further works of improvement.

25746. One witness rather conveyed the impression that there is a tendency to hand over certain powers to the District Boards, not so much with a view of increasing their activity as of securing a contribution from them; and he instanced vaccination and veterinary work; do you think that is true?—If one looks at it from the point of view only of being able to make appointments to those departments or being able to grant leave or anything of that kind, that would be true; as these are specialised departments control from experts is desirable, but it does not prevent the District Councils from making use of these people for the benefit of the public at large.

25747. Do you think the District Board really has more control over the work than it would have if it was still under the Government?—With regard to the veterinary dispensary at headquarters, for example, there used to be a veterinary dispensary under the District Council; it has now been taken over by the Government. In that dispensary the District Council regulated the charges that were to be levied for treatment of non-agricultural cattle. The District Council themselves fixed the rate there, and if it was left to the Government Department they would not have that latitude of fixing the rates so as not to make them weigh upon the people.

25748. Then you think you have got some more control, and that there is some advantage in this work having been transferred?—Yes, I think there is.

25749. Are you in favour of Advisory Councils to both the Commissioner and the Deputy Commissioner or to one only?—I think Administrative Councils for the Deputy Commissioner would be more useful.

25750. What do you mean by "Advisory Council"?—I mean that there should be a Board of representatives associated with the Deputy Commissioner to enable a correct decision to be arrived at on the questions I have pointed out as appertaining to their sphere.

25751. Are they to be able to say "We decide such and such a policy" which is to be binding on the Collector, or are they simply to advise him?—They ought to be able to decide, leaving a power of veto in important cases; and Government might decide in the case of difference between the Deputy Commissioner and his Council; the Chief Commissioner here might be authorised to decide.

25752. They would have to meet pretty frequently?—Yes.

25753. They would have to accompany the Deputy Commissioner on his tours and go about with him everywhere?—If you get people representing the village communities also, those who have a knowledge of rural areas, I do not think they would need to go through every part along with the Deputy Commissioner; they in their own independent line would be able to have a view which would be based on experience, and not merely *a priori*.

25754. But people living at a distance would not be able to come to headquarters very often?—I do not know that they would find any difficulty in coming once a month; they come to the District Councils.

25755. (*Mr. Dutt.*) You have referred to proposed Public Works which had been delayed; is the cause of the delay simply because the provincial Government has not got borrowing powers, or that the plans themselves require mature consideration?—I do not know what has been the reason, but the need for these railways and the utility of these lines was pointed out as far back as ten years ago. We know that irrigation also is badly needed. These things have not yet been done.

25756. You recognise that these are questions which really require mature consideration before they are taken in hand, so that they are not necessarily delayed because the Local Government has not got borrowing powers; there may be other reasons?—Yes.

25757. You also recognise the fact that Local Governments might sometimes make the opposite mistake of taking up works without sufficient consideration which might not prove remunerative in the end?—Certainly. As a check for that, if there are provincial Councils they would be able to consider whether it was at all necessary to incur such an expenditure; in our province there is no such check.

25758. Even then, you would not give the provincial Government unfettered discretion in such matters?—No, I would not.

25759. You suggest that the Sub-Divisional Officers should be placed at the headquarters of their own sub-divisions; what is your reason for that?—They will be more accessible to the people of the sub-division, and their intercourse with the people will help to elevate the people also.

25760. A suggestion has been made that the Sub-Divisional Officers might so distribute their cases and so fix their programme that they might take up cases on the spot as they went to different parts; is that always possible?—I do not think so; on the contrary, if they are placed at the headquarters of their sub-division there will be certainty, and there will probably be a number of pleaders at the station, and there will be none of those difficulties.

25761. You have spoken of the Finance Committee under the District Board. What other Sub-Committees are there under the District Board?—There is the School Board and the Finance Committee; those are the two important committees.

25762. Is the School Committee appointed in the same way as the Finance Committee by the members of the District Board?—With regard to the School Board there is a provision that persons other than members of the District Board may also be appointed members, but the election of a particular person to the School Board must be sanctioned by the Deputy Commissioner; he has got the power of veto. There is no necessity for allowing him that power. If a person is entitled to be on the Council, he is certainly entitled to be on a committee of the Council if elected to fill the office.

25763. Has that power of veto ever been exercised?—No.

25764. You say that works of the value of Rs. 1,500 and more have to be executed by the Public Works Department, and works of less value than Rs. 1,500 can be done by the tahsildars. What agency has the tahsildar got for the purpose?—There is an overseer attached to each *tahsil*, and the works are generally done by means of contracts; the tahsildar takes a bond from the contractor to carry out the work, and so on.

25765. The supervision is with the overseers?—Yes, but some works are done through the agency of Local Board members, by their keeping the accounts and engaging labourers and carrying out the work; the overseer supervises it from time to time, and the tahsildar also supervises.

25766. Does the tahsildar undertake this work as Chairman of the Local Board or as agent of the District Board?—I think he acts as the agent of the executive authority, *i.e.*, the Deputy Commissioner.

25767. Is this system of executing Public Works satisfactory, or would you rather have a well-paid engineer for the whole district, and make over to him all works, subject to the sanction of the Government in very important matters?—We have very recently started the system of having a Divisional Engineer; he is to undertake the execution of works appertaining to the municipalities and the different Boards; that has been started only three or four months ago. It has the advantage of our not being at the mercy of the Public Works Department, which we have found has been unable for years together to attend to our work, and consequently we have come in for censure for not carrying out works and for leaving large surpluses unspent.

25768. Do all the District Boards in the division contribute towards the pay of the Divisional Engineer?—Yes; contributions are made by the District Councils and minor municipalities.

25769. Not by the headquarters municipality?—No, because they have a separate engineer of their own.

25770. Has such an officer been appointed?—Yes; a retired Executive Engineer has been appointed. Before his appointment, we have sometimes been allowed to carry out works of the value of Rs. 1,500 and more, and in some cases the works have been executed most admirably through Local Board members, but we had to get permission in each case.

25771. How are primary schools supervised?—They are supervised through the inspectors and deputy inspectors of schools; there are inspectors of schools for the circle, and then there are two deputy inspectors in the district; the latter inspect every school every quarter, or oftener if they can.

25772. Suppose they have to make a recommendation to abolish any existing school, or establish any new school, where do they send it?—Always to the District Council; the District Council decides; and they also send, through their Departmental Heads, their proposals on the question of abolishing schools or even the question of starting new schools; the District Council themselves take the initiative of asking them to find out localities where schools may be usefully opened.

25773. Would your decision be final or have you to get the sanction of the Deputy Commissioner in abolishing a school or starting a new school?—The sanction of the authorities, *i.e.*, the Deputy Commissioner and inspector of schools, is necessary.

25774. You say that the whole of the Road Cess and the Education Cess is collected by the Government, and there is no deduction made; are you quite sure that the Government charge you nothing for collection?—I think they do not. They intimate to us beforehand the amount that is likely to be contributed from the Education Cess and the Road Cess; the amount actually collected is put to the credit of the District Council, and the Comptroller intimates to us the figures which we are to take for the basis of our final accounts as the actuals for the year.

25775. You said that a contribution was made by Government to you over and above the proceeds of these two cesses; was that contribution originally made by the Government of India and handed over to you by the provincial Administration, or was it made by the provincial Administration?—I believe, for education, it was a contribution made by the Government of India out of which the Local Government gave some contribution to us; similarly with regard to village wells; whether that was made as part of any imperial scheme or not I do not know. In the case of plague measures, where we have been carrying on this campaign against rats, we have received some grant from the provincial Government to supplement our funds.

25776. You say you would like the District Board to have power to impose taxation. Suppose you had the power, are you of opinion that the tax should fall on land, or would you have some other form of taxation?—The Road Cess and Education Cess are not levied from every landowner; the tenants are entirely free from the taxation; it is taken from the *malguzars* and from the plot proprietors. I do not know whether in assessing the *malguzar* the idea was that the collection of rents which got into the hands of the *malguzars* was supposed to be indirectly taxing the tenants for this purpose also.

25777. If you had the power, would you impose it on land, or would you adopt some other form

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of taxation?—It should not be restricted to land only, but the whole of the community ought to pay it.

25778. Would not such taxation make the District Board unpopular?—If the objects on which the money collected by taxation is to be spent are situated in the locality, and if it spent through the agency of village panchayats and unions, the people will see that the money is being utilised for their own purposes and under their own control, and the unpopularity will then disappear.

25779. Have you a number of veterinary inspectors under you?—We have no veterinary inspectors under the District Council at all; there are three veterinary assistants.

25780. Have you the power of sending these assistants to different villages where cattle-disease is raging?—There are some assistants placed on peripatetic duty; their reports are circulated to us from time to time and sent on to the Civil Veterinary Department; usually it is the Head of the Civil Veterinary Department, who, if there is anything particular to be done, directs the veterinary assistants to go to the locality where the disease is raging.

25781. Have you any control in the matter?—We have not exercised any control; I do not know whether we have the power.

25782. In the same way, have you power to send vaccinators to any place where vaccination is much needed?—No.

25783. (*Sir Frederic Lely.*) Would your Advisory Council be elected, or nominated?—I should have both elected and nominated members on it, elected members representing the municipalities and the District Councils, and the nominated members with regard to special inteersts that were unrepresented in the other way.

25784. How many members would you have in an average district?—I should say 7 members, including the Deputy Commissioner, would suffice.

25785. An average Collector who goes about his district would probably talk over public questions with hundreds of people?—Yes.

25786. So that the effect of your Council would be really to narrow the basis of his consultation?—I do not see that it would narrow the basis of his consultation; he would still have all that experience with him, and would be able to assist the Council with that knowledge, and there would be also the extra knowledge of the members of the Council brought in.

25787. Suppose he went about and consulted people in the ordinary way, and the majority of them said one thing and his Council said another thing, which should he follow?—In the case of the majority it would depend on the class of people he met, whether they were in a position to take an intelligent view of the matter and whether they gave out their opinions freely and without any hesitation.

25788. Then it would really resolve itself into a question of discretion as to which represented popular opinion?—Yes; it would be left to the Deputy Commissioner; if he thought that the opinion given to him by the Council was so perverse, or so out of touch with the bulk of the people, he could send it up to the Government for decision.

25789. Is the item of expenditure on village school buildings very large?—Yes; we have been spending every year something like Rs. 8,000 to Rs. 9,000 in building school-houses.

25790. Who builds school-houses?—The work is done through the agency of the district staff when the cost is under Rs. 1,500; if the cost exceeds Rs. 1,500, it is done through the Public Works Department.

25791. Would it be practicable to leave to the village itself the provision of buildings for schools?—It would require greater sacrifice on their part than they would perhaps be prepared to make.

25792. The villagers would provide the building themselves at a very much less cost than that for which you, as a School Board, could do it?—We have tried the experiment, not exactly of demanding from them the materials for the construction of school buildings, but placing the money at their disposal for carrying out these works. At Narkhed, a very large town, there is a vernacular middle school with a training class; we find that the work, which is very substantial work, has been done at a smaller cost than would have been incurred by the Public Works Department.

25793. Was the work entrusted entirely to the people?—It was entrusted to the members of the School Committee, with only the ordinary supervision from the tahsildar and overseer, but not with the restriction that it must conform to particular rules, or anything of that kind.

25794. Whenever a school was established in a village would you be prepared to leave it to the villagers to provide accommodation for it?—It would be better that these schools should be built at a cost to be provided by the District Council, but through their agency; the collection should not be left to depend upon the will of the villagers.

25795. Would it be practicable and reasonable to entrust the execution of all local Public Works to the village?—Yes, if a village union or village panchayat is started it would be quite practicable, with assistance, of course, from the overseer.

25796. You would let the overseer interfere?—Expert assistance should be made available for them—not to interfere in financial matters, but in order to place at their disposal some expert assistance.

25797. Would not the interference of the overseer be fatal to spontaneous village effort?—If the overseer was their servant and not their master, I do not think it would.

25798. Would you propose that they should pay the overseer?—They should ask the District Council for the services of the overseer to some and supervise certain works which they are willing to undertake.

25799. You think that they would not object to that?—I think they would not.

25800. Because the overseer is the servant of the man who pays him?—The overseer should not have the giving of contracts or anything; if he had he would be all-powerful.

25801. He would not have power to give orders?—He would have power to advise, just as in private houses if you have a friend who is an engineer you can ask him, and he will say, "If you do so and so such and such a thing will happen."

25802. You think the overseer is a man who can be trusted to draw a line between advising and directing?—I should imagine so.

25803. In the matter of sanitation would you give the village any powers?—I would give the village panchayat the powers; at present the *mukaddam* is the man who has all these powers.

25804. Would you give them power to levy a rate?—Power to levy a small rate.

25805. Would you give them power to make rules?—Yes, I would give them power to do that also. There might be a power of veto left in the Government whenever there was anything in the rules that might prove oppressive or troublesome to the ordinary class of villages.

25806. Suppose the village said, "We do not want a staff; what we object to is your salaried servants with a badge coming round amongst us; we wish rather to make a rule binding each individual householder to keep the purlieus of his house clean." Would you give them power to enforce a rule like that on each individual householder?—Yes, I should see no harm in it.

25807. (*Sir Steyning Edgerley.*) When the Public Works Department work for you, do they charge a percentage?—Yes, I think it is about 10 per cent., except in the execution of works relating to roads.

25808. Could you get the work done for less than that by other agents?—Yes.

25809. As to the management of schools the actual administration is done by the deputy inspector?—No; he has to refer appointments, grants of leave and so on to the Council.

25810. It is done by the School Board?—Yes; the recommendations of the deputy inspectors are always attended to, but the School Board generally decides on each individual case after considering all the circumstances.

25811. They must sit very constantly?—Yes; we have to sit at least every month, if not oftener. In the ordinary cases of granting leave, or anything of that kind, the Secretary of the School Board in anticipation of the sanction of the Board passes orders, but in all other matters, such as promotions, adding to the staff and so on, the School Board has to decide at its meetings.

25812. Who is the Secretary; is he a member?—I am the Secretary; I am a member of the School Board and a member of the District Council.

25813. You practically have the administration of the schools in your own hands?—Yes.

25814. And the inspector has to come to you for orders about everything?—Yes.

25815. (*Mr. Meyer.*) What is the constitution of this School Committee, or School Board, as you call it; does it consist entirely of members of the District Board?—Yes.

25816. Is the deputy inspector of schools generally a member of the District Board?—He is not a member, but he is required to be present at the meetings.

25817. How does the Deputy Commissioner come in; does he attend the meetings of the School Committee?—No, he does not.

25818. Has he anything to do with primary education in the district?—Yes. Under the Education Manual the Deputy Commissioner has to be consulted in the starting of new schools or the abolishing of any schools; he as Head of the district has control and supervision over the acts of the deputy inspector, and through that agency he exercises his powers in that direction.

25819. He has to be consulted about the starting of any new school or the abolition of an old school?—Yes.

25820. Also about the raising of establishments?—That goes to him by way of a proposition statement for the enlargement of the items in the budget; he gives his opinion upon that and sends it on to the Commissioner.

25821. So far as it relates to the abolition or establishment of schools the finding of the School Board is not valid until it is confirmed by the Deputy Commissioner?—That is so.

25822. Have their findings to be also confirmed by the District Boards?—The School Board does not deal directly with the Deputy Commissioner; they place their proposals before the Council, and the Council incorporate them in their minutes.

25823. It is merely a committee of the Council?—It is provided by the Education Manual that its decisions should be reported to the District Council, not that they should be subject to the confirmation of the Council in every matter. No doubt if the Council considered any action of the School Board inconsiderate or ill-advised, they would record their opinion, and that opinion would prevail.

25824. You forward your proposals to the District Council and unless the District Council takes exception within a certain time they take effect; is that the procedure?—Yes.

25825. You desire to diminish the control of the Deputy Commissioner in respect of the education work of the Committee?—With regard to that matter about the veto of the Deputy Commissioner to the election of a member on the School Board. It seems anomalous that if a person is considered fit to be a member of the District Board he should not be thought fit to be a member of the Committee of the District Board.

25826. You say that the Deputy Commissioner has control in respect of the starting of new schools or the abolition of existing schools. Do you wish to keep that control, or to do away with it?—I do not think there is any necessity for that control.

25827. There is no necessity for outside control at all?—I think that, once the amount of the fund has been appropriated to certain objects, the District Council should have the power to spend it on those objects in the way it thinks best. Of course if there is objection upon any score the Deputy Commissioner can always advise, but he need not have the right of veto, nor should his confirmation be necessary.

25828. You have a good many backward classes in this province; are they represented on the District Councils?—As a matter of fact they are not, but there is nothing to prevent them getting representation if they chose.

25829. Do you think their wants in the way of schools would be adequately provided for if the District Councils and their Education Committees had an absolutely free hand?—The District Councils are quite willing to provide for the educational needs of these classes.

25830. You have in this province a Chairman, a Vice-Chairman and a Secretary of each Board. Have they all different functions?—The Secretary has certain powers under the District Council's Manual; he has financial custody and all that sort of thing; the issue of cheques by the Secretary up to Rs. 50 is permitted; if he has to spend larger amounts than that he has to get the countersignature of the Chairman, or of a member of the Finance Committee to the expenditure. For these various purposes they have the various powers.

25831. Where does the Vice-Chairman come in; has he any distinctive powers or does he merely represent the Chairman in the Chairman's absence, or when the Chairman delegates his powers?—That is his position; when the Chairman is absent he takes the chair; he is generally on the Finance Committee, and he discharges his duties in that way.

25832. So that the real executive authority is divided between the Secretary and the Chairman, with the Vice-Chairman occasionally representing the Chairman?—Yes, you may say that

25833. You desire that the District Councils should have full powers in respect of the raising of taxation?—My main contention is that the funds at the disposal of the District Council are quite inadequate to make them useful bodies, or to make people take a keen interest in their work. I therefore want a larger amount to be placed at their disposal, so that they may be able to carry out a larger number of works. With regard to taxation, they may raise some small taxes, but the collection of the funds that are to be placed at their disposal must be made by the Government, and the District Council should receive a certain percentage from the provincial revenues, which they might expend on objects such as education and meeting the sanitary needs of the villages and other purposes.

25834. A municipality is allowed to levy a house-tax, or a profession tax, or an octroi, as the case may be, within certain limits; is that what you propose for the District Councils, that they should have power to levy taxes within certain limits, or would you give them an absolutely free hand?—I would not give them an absolutely free hand.

25835. You would have specific legislation laying down the limit beyond which they should not go?—Just so.

25836. Did you not get a special grant from Government about three years ago amounting roughly to a quarter of the amount you received from the cess?—Our income from all cesses is something like Rs. 55,000; from Government we got about Rs. 17,000.

25837. Within the last three years your grants from Government have been considerably increased?—Yes; with regard to plague, for example, we got Rs. 4,000.

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25838. Apart from plague, have you not got a recurring contribution?—Yes.

25839. You mentioned the Dak Cess; that has been abolished as a contribution to Government and the proceeds given to the District Boards?—Yes, that is to say, the surplus after meeting certain expenses on the district post.

25840. Does not Government undertake most of the roads in this province?—There are what are known as district roads, class 1 and class 2; those are placed with the Public Works Department, and we have got to make a contribution to the provincial revenues for those roads. Out of the Rs. 35,000 Road Cess which we got we had to make a payment of Rs. 25,000 or so towards district roads in those two classes.

25841. It has been suggested that the provincial Governments should make over these roads to the District Boards, at the same time increasing their revenues; would you be in favour of that?—I do not think there would be any particular gain by transferring them as suggested.

25842. Is your position, then, that as long as the provincial Government manages the roads you do not see why you should pay?—My position is this, that with regard to these roads for which the contribution is demanded from the Council, they are really roads which are not utilised only by that class from which the Road Cess is raised; there is no reason therefore why a portion of the Road Cess should be utilised for these roads.

25843. You mean that your contribution should stop and that the Government should find the money from general taxation?—That is what I contend.

25844. Is there a Dispensary Committee?—Yes.

25845. That is outside the District Council, but you send representatives to the Committee?—No, we do not send representatives. Wherever municipalities start any hospitals or dispensaries they ask for contribution from the District Councils in order to pay for the treatment of the villagers who go there, with regard to whom the District Council may be considered responsible for the provision of medical treatment. But we have only two dispensaries started under the District Council (and that mainly through private liberality) where we have provided for medical treatment.

25846. In Madras the District Boards run dispensaries and they manage them; in Bengal on the other hand the dispensaries are managed by independent committees, though the District Boards contribute and are represented on the committees. Which system is in vogue here?—Here neither system is in vogue, because here there is only the provision for funds made by the District Council, and the rest of the management of the dispensaries like every other matter under the Medical Department of Government is managed by Government through the Civil Surgeon, not by us at all.

25847. Would it not be desirable to give Local Boards real power, instead of letting the District Council do everything?—Local Boards should certainly have real powers given to them, and as a matter of fact they have real powers; in order to enable us to frame our budget we send for, and get, from the Local Boards accurate information as to their needs, and we then allot to the different Local Boards what we think they should get, and they have power to spend that amount.

25848. But would you go a step further and give the Local Boards a definite part of the cess and let them run, say, schools and village roads within their own jurisdiction; would you delegate power to the Local Boards instead of everything coming up to the District Council?—The difficulty will be that there are some Local Boards in which there is greater need than in others, and the District Council can co-ordinate the demands of all these Local Boards and decide as to what works should be undertaken.

25849. You prefer the existing system?—I think it has several advantages.

25850. Has this system of having a Divisional Engineer been introduced only in this particular Nagpur Division, or throughout the province?—It is in the Nagpur division only for the present. It is an experiment.

25851. Is the sanctioning power of the Deputy Commissioner to the appointment of all School Boards required by law?—It is laid down in the Education Manual, which contains the orders of the Chief Commissioner under the powers conferred by the various enactments.

25852. Have not vaccinators been made a local establishment lately?—So far as I am aware, the vaccinators are not under us; we have to contribute to the Civil Surgeon's establishment, that is all.

25853. Do you have to go up for the sanction of the Commissioner for every re-appropriation you make?—Yes; I think there has been some change made recently in connection with the change made by the Government of India as regards incorporated accounts and things of that kind.

25854. Are you going to get more freedom?—I should suppose so. We have not got the detailed orders.

25855. When the Chairman, or you as Secretary, punish a municipal servant, does the appeal go to the collective Council, or does it go straight to the Commissioner?—It goes straight to the Council.

25856. Does it go on to the Commissioner from the Council?—So far as punishment is concerned, it is not final until it is confirmed by the Council.

25857. Then if it is confirmed by the Council the man appeals to the Commissioner of the division?—Yes, there is no provision specially with regard to that; it is only under the ordinary powers that the Deputy Commissioner has executive control and has revisional jurisdiction; if the Council is behaving improperly and so on, he may step in and supersede the Council.

25858. Are there many such appeals?—No, I am not aware of any such appeals.

Mr. D. N. CHAUDHRI was called and examined.

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25859. (*Chairman.*) You are a pleader and President of the Raipur Municipality?—Yes.

25860. Have you been on the District Council?—No.

Every provincial Government should be vested with larger powers in the matter of spending money on the improvement of its internal administration with special reference to education, Public Works and irrigation. There should be a complete separation between the imperial and provincial finances, either by allotting revenues from some particular heads to the provinces entirely or by fixing permanently the proportions by which the imperial and the provincial Governments may share in the revenues from all heads. Provision has to be made for such emergencies as famine. Each province should have a sort of reserve fund to which the surpluses of prosperous years may be assigned and the present system of lapsing of unspent balances should cease.

With certain reservations I would like to give borrowing powers to Local Governments in cases of emergency, of course subject to the approval and security of the Government of India. The borrowing power of the provincial Governments will have a marked influence on the trade and money market, and much capital which now lies locked up in the outlying districts removed from the civilization of the Presidency Towns will thereby be invested in Government securities and trade. There is a large amount of silver lying idle in the coffers of *malguzars* and substantial tenants in many parts of the Central Provinces, and this capital does not find any outlet into the money market, simply for

want of facilities of investment and ignorance of the ways and means thereof. A provincial loan system with the prospect of ample security will put this locked-up capital into circulation and profitable investment, and will further have the advantage of teaching the people a little of enterprise.

In the matter of creation of new appointments and enhancement of salaries, particularly in the provincial branches, the Local Government should be the sole arbiter.

The present system of the same department being manned by the "Provincial" and "Imperial" men, doing the same duties but drawing different grades of pay, should be altogether abolished. I speak with special reference to the Public Works and Education Departments, where this invidious distinction is most marked. There may be two grades such as "superior" and "subordinate," and the former must be recruited from the latter.

Larger administrative powers should be given to Local Governments in the application of the general lines of policy of the Imperial Government to local conditions. For instance, in the Central Provinces, the Local Government should be given more latitude in the following matters:—Collection of land revenue; imposition and collection of forest revenue; imposition and collection of irrigation dues; imposition and collection of income-tax; and settlements. The restrictions imposed upon Local Governments by the Acts of the Imperial Legislature and by rules having the force of law may be relaxed in regard to the Forest Act, Income-tax Act, Arms Act, Excise Act.

A general Act of delegation like Act V. of 1868 will best serve the purpose.

The influence of the Government of India departments tends towards excessive rigidity. Each department of the Government of India should have at least one Assistant or Under-Secretary representing each province, but he must have local knowledge and experience. Important administrative reforms in the recent years are mostly due to the initiative of the Government of India. The Local Governments should be given a large degree of discretion in the matter of developing their administration, but it should not be left altogether to their choice to adopt a desirable reform brought to their notice from other provinces.

I am in favour of enlarging the administrative powers of the Local Governments, but an appeal should always be allowed to the Government of India. It would be positively harmful to require a certificate as to the fitness of the appeal from the very authority against whose decision the appeal is to be made. The rules regarding the right of appeal are not unnecessarily liberal, and, instead of curtailing the same, I would rather allow a direct appeal to the Government of India instead of through the Local Government, as at present.

Commissioners of divisions should be invested with final powers in the matter of suspension and remission of revenue to any amount. I would abolish the post of Settlement Commissioner and make the Commissioners of divisions the appellate authorities in the questions relating to Settlements. In mutations and nomination of *lambardars* the Commissioner should be the final authority.

In the following matters I would give final authority to Collectors and Deputy Commissioners:—Remission and suspension of revenue to the extent of Rs. 10,000; appointment and dismissal of village officers, such as *mukaddam*, *kotwar*, &c.; assessment of income-tax with the help of respectable assessors. Experienced Sub-Divisional Officers may be empowered to exercise all or some of the extended powers of Collectors and Deputy Commissioners as enumerated above.

The Commissioner should be given extended powers relating to the Court of Wards in taking up or relinquishing an estate under the Court. The Collectors and Deputy Commissioners should be constituted the Court of Wards, as virtually they are responsible for the management.

Divisional allotments are necessary in order to control the expenditure to a greater extent.

The position of the Commissioner is not sufficiently strong, though due weight is given to his opinions, but under the present system the Heads of Departments are quite independent of him and are not bound to agree with his views.

Officers are so much engrossed in their desk-work that they have hardly time enough to mix with the people. They should be considerably relieved of their office work, and people should be allowed free access to them to represent their grievances personally, and they should be treated with sympathy and consideration.

Many of the European officers do not possess sufficient knowledge of the vernaculars.

The administrative staff in many districts in Central Provinces is quite sufficient,—only a proper adjustment of the duties is all that is needed. No reduction of the district areas is necessary, but in places where the charge is heavy Joint District Officers may be appointed.

Transfers are unnecessarily frequent, and the tone of the whole administration is changed thereby. I think no District Officer should be transferred in less than five years at the lowest, unless there are very good reasons for the same, such as the unpopularity of the officer.

The following powers and concessions may be given to municipalities:—

Sole power of—

(1) Appointment and dismissal of all officers and servants without any interference by Government authorities.

(2) Unfettered power of reduction or retention of establishment or dismissal of unfit persons.

(3) Treating the Government property in the matter of taxation in the same way as private property.

(4) Power of abolition, reduction or exemption of particular taxes with respect to particular persons or properties without the necessity of sanction by the Local Government.

(5) Exemption of municipal process or applications from court-fees.

(6) Crediting to municipal funds the sale proceeds of the hides of unclaimed animals dying within municipal limits.

(7) Abolition of, or considerable reduction in, the rate of interest charged on loans granted by the Government and relaxation of rules regulating such loans.

(8) Relieving the municipalities of the cost of maintaining the high schools, district hospitals and district veterinary hospitals.

(9) The power of the Commissioner or Deputy Commissioner to suspend the operation of any resolution or order passed by a Committee should be confined only to those cases where the resolution or order has not been unanimously passed by the Committee and where its execution is likely to lead to a breach of the peace. I would, however, allow official control in all cases in which the resolutions of the Committee are passed by a bare majority.

(10) Removal of interference with municipal budgets except on very strong grounds.

(11) Gradual withdrawal of strict official control over municipal bodies, reposing more confidence in them and allowing a free hand to them as far as possible, subject, of course, to the guidance of Deputy Commissioners and Commissioners.

(12) Candidature of officials as members and office-bearers should be discouraged.

(13) The right of electing representatives to the Legislative Councils and Advisory Boards should be given.

(14) Exemption of the municipalities from the cost of Government audit.

The functions of the municipalities and District Boards may be extended in the following directions:—

(1) Institution of Boards of arbitrators in disputes relating to rights of easements in the towns or villages.

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(2) Institution of boards of arbitrators for settling petty trade disputes.
(3) Prevention of adulteration of articles of food.
(4) Powers regarding removal of public nuisance.
(5) Taking measures of prevention against epidemic diseases.
(6) Spread and encouragement of primary education.

There should be a Divisional Advisory Council for each Commissioner and a District Advisory Board for each Deputy Commissioner. I would constitute the Divisional Council by election from amongst the members of the several municipalities and Boards and also by including a limited number of outsiders representing the different classes and interests. I would constitute the District Advisory Boards by election from amongst the members of the municipalities and the Local Boards in the district and also by including a limited number of outsiders representing the different classes and interests. In respect of the following subjects responsibilities may be given to such Councils: — Education; relations of the officials with the people; public health and sanitation; agriculture; famine administration; and conduct of the people. I do not think the village communities in Central Provinces are sufficiently capable to dispose of petty civil and criminal cases.

25861. You tell us that there is a good deal of money lying idle in the coffers of *malguzars* and substantial tenants and so forth. Have you any reason to believe that loans for local purposes on the guarantee of the Local Government could be obtained?—I think so; the people have no spirit of enterprise at all; they do not know how to invest their money; they know only about investing their money on land, nothing else; that is why I believe local industries do not thrive—because of the want of the spirit of investment.

25862. If the Local Government came forward and said "We want a lakh for the purpose of building this tramway or making this irrigation work," would the local people put their hands into their hoardings?—Yes. I have had occasion to take the opinions of people. They do not know how to invest their money; that is the difficulty. If they find that there is very good security for the money that they invest, I have every reason to believe that they will come forward.

25863. With regard to income-tax, would people get off more lightly if the provincial Government had an absolutely free hand?—My complaint is that the income-tax is now being assessed every year. This tax is a very unpopular tax and it should not be assessed so often as that. If the Local Government were to consult the opinion of the people without being hampered by any rules of the Government of India it would be more conducive to the popular assessment of the tax.

25864. Could you possibly have an income-tax which was assessed for ten years?—Not ten years; the rule before was three years.

25865. No matter whether a man was making or losing money?—You generally find in practice that every year the total amount of assessment increases in every place, whether the people are losing or gaining.

25866. You say you want to see the Settlement Commissioner abolished; for what reason?—All questions connected with the settlement in a district can be more effectively decided by the Commissioner of the division than by the Settlement Officer.

25867. What you want is to give the Commissioner of the division a freer hand?—A free hand, and the right of hearing appeals, in place of the Settlement Commissioner.

25868. You suggest that final authority as to the remission and suspension of revenue should be given to the Commissioner?—Yes. To the Deputy Commissioner to the extent of only Rs. 10,000.

25869. With regard to extending the powers of Commissioners in respect of famine, what is unsatisfactory in the present position?—That the recommendations of the Commissioner may be set at nought by the Local Government.

25870. As a matter of fact, does the present system work unsatisfactorily?—In some cases it has happened that the Commissioners have recommended that famine works should be opened, and their recommendation has not been upheld.

25871. Would you like to see that matter finally in the hands of the Commissioner?—Not exactly finally, but he should be given more power.

25872. It is a matter rather of advice than of power?—In the result it would be more in the nature of advice.

25873. You are the Chairman of the Raipur municipality?—Yes; for about two years I have been Chairman; before that I was a member of the municipality.

25874. As Chairman, have you a pretty free hand in the management of the municipality?—Almost a free hand I should say.

25875. Your budget goes to the Commissioner?—Yes.

25876. Do you find he makes many alterations in it?—Yes, he does, in many particulars; for instance, we have cut down the grant that we used to pay to the high school; we thought that it was not our province to maintain the high school or to give any grant to it; our recommendation was not accepted.

25877. You thought he insisted upon your paying too much for education?—Not too much for education; so far as primary education was concerned we had nothing to say, but we said that the maintenance of the district veterinary hospital and the high school was not within the legitimate province of the municipality.

25878. By whom do you think they ought to be maintained?—By the provincial Government.

25879. Primary education you recognise as your charge, but not secondary education?—Secondary education does not come legitimately within the province of the municipality.

25880. Take the case of the dispensary; the dispensary was for the service of the people in the town?—It was for the service of the people in the town as well of the people in the *mufassal*; in the towns people have also to pay subscriptions over and above what is paid by the municipalities.

25881. They do that of their own free will?—Yes, but the *mufassal* people enjoy more advantages from the hospital than the townspeople; the municipality should be made to pay as little as possible.

25882. You think that the interference of the Commissioner in this particular was interfering with your liberty?—I do not say it was the interference of the Commissioner; that is the rule which has been in vogue for some time past.

25883. You want the municipality to have the right to say whether or not they will keep up the dispensary?—No; it is not for the municipality to keep it up; the municipality only makes a yearly grant of about Rs. 5,000.

25884. That does not represent the whole cost?—No, but that is too much, considering that the hospital exists for the whole district.

25885. You think you pay more than your share, that is what it comes to?—Yes.

25886. Do you do most of your work through sub-committees of your municipality?—Yes.

25887. Are you Chairman of all the sub-committees?—Not all, some of them.

25888. Do you get any grant from Government towards your expenses?—We get Rs. 3,000 for education.

25889. That is spent on the primary schools?—Yes.

25890. Do you get any other grant from Government?—Yes, we have only lately got a grant for the maintenance of the veterinary hospital of Rs. 300 a year.

25891. And loans?—Yes; we have to pay two loans, one was taken for the water-works, another for drainage; we have been paying our instalments regularly.

25892. You get them easily and cheaply?—Yes, but the interest that is charged is rather too much. In the case of loans the existing rules should be somewhat relaxed. We wanted to improve our market, and we wanted to go up to the Government for a loan of Rs. 30,000; Government promised it, but we could not take it up because we were required under the rules to repay it within ten years; we could not possibly repay it within ten years, and so we had to cast aside that improvement.

25893. Do you borrow your loans through the Local Government?—We borrow from the Local Government.

25894. Could you raise within the limits of the municipality a loan on the strength of the municipal revenues?—I think we could.

25895. You would have to pay a greater rate of interest for it?—Probably.

25896. That would not be so satisfactory perhaps as the present system?—No.

25897. You wish that there should be no appeal from any punishment which the municipality may inflict on its servants?—I think the Committee should have the final power. If the President punished any official he has the right of appeal to the Committee; the Committee should be the final Court of Appeal.

25898. With no further appeal beyond that?—Unless the opinion of the Committee is not unanimous; in that case I would give an appeal to the Deputy Commissioner. Beyond him the Act does not give any appeal in many cases.

25899. You think it ought to stop with the Deputy Commissioner?—I think so.

25900. But in the case of Government servants you think that they might go up to the Local Government?—Yes.

25901. Why do you draw a distinction between the two?—Because in the one case it is the Court of the people; if the Municipal Committee decides a case in respect of its own officer, they are the representatives of the people; but in the case of the Government servant it depends only on the judgment of one official.

25902. You object to the judgment of one man dismissing or punishing a man; do you think that if there were two authorities, each of whom agreed with the other, that would be sufficient?—It depends on the rank and position of the officer who is dismissed; if he is a menial officer drawing Rs. 15 or less, then I think an appeal up to the Commissioner ought to be sufficient, but if he is a high officer, drawing Rs. 100, you ought to give him the chance of going up to the Local Government.

25903. Not beyond the Local Government?—I think in the case of a man getting Rs. 100, not a Gazetted Officer, the appeal to the Local Government ought to be sufficient.

25904. What have you to say as regards panchayats?—With regard to panchayats, the people are not sufficiently advanced in education or enlightenment to take up petty civil and criminal cases, and decide them satisfactorily.

25905. (*Mr. Meyer.*) Do the village headmen, the *mukaddams*, elect to the District Councils?—I have no experience of that.

25906. These people, the village communities and others, to whom you refuse powers as being unsatisfactory, are at the same time the electorate to the Local Boards, to whom you desire to give very much larger powers?—Yes. When they sit on the Local Board or the District Board they will come into contact with the people of the whole district; they will be able to get over their local prejudices by coming into contact with the people of other places. To some extent they could not get over the local prejudices unless they were sufficiently well educated.

25907. You say that each province should have a sort of reserve fund to which the surpluses of prosperous years might be assigned. Is not that precisely what takes place now, that if a province has a surplus it goes to its credit?—If it is so, I have nothing to say.

25908. You desire to give the Local Government more latitude in regard to settlements. For instance, the present accepted principle is that the State share of the land revenue should not exceed 50 per cent. of the cultivators' nett profits. Suppose a Local Government said, "We are hard up, and we should like to take 60 per cent.," would you allow them to do that?—Certainly not; there should not be any hard and fast rule laid down by the Government of India in respect of these matters; local wants and local circumstances must be attended to first.

25909. That is exactly the instance I gave you. The Government of India have laid down the principle that the Local Government shall not take more than 50 per cent. of the cultivators' nett profits, and the Local Government wants to get rid of that principle; would you let them exercise their own discretion?—Of course not in that way.

25910. Only in the way of relaxing taxation, not of increasing taxation?—That is what I mean.

25911. You say that in mutations and the nomination of *lambardars* the Commissioner should be the final authority?—At present the application is made to the tahsildar, he makes inquiries and makes the nomination, the final order is made by the Deputy Commissioner, and there is a right of appeal to the Commissioner; further, there is a right of appeal to the Local Government also. In these petty matters one appeal ought to be sufficient.

25912. Might the Sub-Divisional Officer not appoint a *lambardar*?—The Sub-Divisional Officer is invested with the powers of the Deputy Commissioner in some cases.

25913. In that case the appeal would lie from him to the Commissioner?—Yes.

25914. If the Sub-Divisional Officer appoints the *lambardar* and somebody is dissatisfied with the appointment, might not the appeal go to the Deputy Commissioner as the immediate superior of the Sub-Divisional Officer?—But under the Land Revenue Act some powers are exercised by the Sub-Divisional Officer as the Deputy Commissioner.

25915. I am speaking not of the Act, but of common sense. When the Sub-Divisional Officer exercises a power and exception is taken to his action, the appeal, in Madras, for instance, lies to the Collector; do you see any objection to that in this province, apart from the provisions of the law?—I have no objection to it; I should think it would be much better.

25916. You say that Commissioners might have larger powers in regard to Public Works; have you thought out any specific recommendation?—Certain instances have come to my knowledge in which the Commissioners have absolutely no powers.

25917. Would you like to give the Commissioner a Public Works budget and give him powers of sanction within that budget?—No; but the Executive Engineer, in consultation with the Commissioner, might start some important works.

25918. Would you say that no work should be started in the division before the Commissioner has approved of it?—Yes, that is what I mean.

25919. You say also that you would like to give the Commissioner power with regard to "transfers of subordinate officers from one district to another in the division in the interests of the Public Service." What subordinate officers do you mean?—Extra-Assistant Commissioners and Assistant Commissioners, not Deputy Commissioners.

25920. Then you say that the Deputy Commissioners might similarly transfer subordinate officers from one *tahsil* or sub-division to another; do you mean tahsildars?—Yes, tahsildars and assistant tahsildars also, not Assistant Commissioners.

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25921. Then with regard to the Extra-Assistant Commissioner the position would be this. Government would post him to a division, the Commissioner would post him to a district, and the Deputy Commissioner would post him within that district?—I mean that, if necessary, instead of going up to the Local Government, the Deputy Commissioner might transfer an officer from one sub-division to another, or the Commissioner might transfer a particular officer from one district to another.

25922. Do your Commissioners, as Court of Wards, deal with encumbered estates when the proprietors are pecuniarily embarrassed?—Yes.

25923. You say that the Commissioners should decide as to taking up or relinquishing an estate under the Court; that relates to estates which are under management by reasons of the minority or the sex of the proprietor?—Yes.

25924. Would you object to the same powers in cases where the estate is taken up because the proprietor is of extravagant habits?—No, I would let the Commissioner decide in all cases whether estates should be taken up or relinquished.

25925. When estates are taken up, the entire management would be with the Deputy Commissioner?—Yes.

25926. Would he have to get sanction for his budget?—That depends on the question who is to constitute the Court of Wards; if he is to constitute the Court of Wards, then I think he has only to prepare his budget and send it to the Commissioner in the ordinary course.

25927. You desire that the municipality should have complete power to abolish or reduce or exempt from particular taxes without the necessity of sanction by the Local Government. Do you mean it might exempt a whole class of persons from taxation?—Not a whole class. I refer particularly to Section 41 of the Municipal Act. There is a section in the Municipal Act which empowers the Municipal Committee to "recommend" that a particular person or a particular property shall be exempted from payment of a certain tax. With respect to that word, the procedure now is that the Committee passes a resolution at a special meeting, and it has to be forwarded to the Local Government and the Local Government might not choose to accept the recommendation.

25928. But what is the general reason of exemptions?—For instance, in the case of a man who has made a munificent gift to the municipality, it might be thought graceful and advisable that his property should be exempted from taxation.

25929. The man gives you a large present, and you say, "In recognition of your munificence you need not pay any municipal taxes hereafter"; is that what you mean?—Yes, I can quote one instance at Raipur; we got 2 lakhs for our waterworks from the Raja there. He had only a small house; we wanted to exempt him from water-tax in recognition of our enjoying that boon through his munificence; that we have no power to do.

25930. If you carried out that principle very largely you might end by paying dearly for the munificence accorded to you?—That depends on the good sense of the community. There are very rare instances in which the Committee as a body are bound to be grateful to a certain person on account of the benefit that he has conferred on the community.

25931. You want the Government to give you loans more freely than they have done hitherto?—Yes, and at the same time I propose that the Government should relax the rules under which those loans are made.

25932. If the Government give you loans they must have some moral certainty of the re-payment of the loans?—Certainly.

25933. If your municipality has full control over its finances and can exempt persons from taxation, there may be a risk that they will not be able to pay back what they have borrowed from Government?—If the Government have confidence in the Municipal Commissioners there is no harm in their relaxing control in that way; if the Government found the finances of the municipality were wrong, they would refuse to grant a loan.

25934. If the Government is to lend money, at any rate it is entitled to see that you are in a position to repay the money?—Certainly.

25935. You say that in a particular case you wanted a loan for a market and you were required to pay it back within 10 years. Might not the Local Government have extended that period to 20, if it so desired, under the Act?—The Government of India rules are that generally loans for purposes of markets, etc., are to be repaid within 10 years.

25936. Are you not confusing two things, ordinary works, and emergency expenditure for plague and other matters? Under the ordinary Local Loans Act the Local Government has discretion up to 20 years?—Not in all cases; in cases in which loans are required for the improvement of markets and those things, the period is 10 years.

25937. Markets are profitable undertakings; if you are making a profit out of the market, can you not pay back the loan rapidly?—We may, but at the same time we have to see that we get a sufficient time for repayment; it is no use to take a loan for ten years when we think we shall not be able to repay it within that time.

25938. You say that among the functions of the municipalities and District Boards that might be extended are the institution of Boards of Arbitrators in disputes relating to rights of easement in towns or villages. Will you kindly explain that?—There are various questions about easements in the towns, and for the settlement of these questions people have to go to the Civil Court and fight out long and continuous litigation. In such matters there might be a sub-committee of the municipality to which they could be referred, say, under the Arbitration Act, and the Municipal Committee might decide; if their decision was made final it would do away with much litigation.

25939. You mean, made final without any appeal?—Yes; if it is an arbitration there should be no appeal.

25940. Would it be open to the parties to accept arbitration or to go to the Civil Court as they desired?—That is so, of course, in all cases.

25941. The arbitrators should be a Board representing the municipality?—Yes.

25942. How would your Board of Arbitrators for the district be constituted?—Out of the members of the District Council.

25943. Are there a sufficient number of members to go round all the villages and adjust disputes?—Only those members who come from the neighbouring parts of those villages would be expected to do the work.

25944. They are also to deal with the adulteration of food; are they to prosecute or to decide on prosecutions brought by the police?—In these matters certain municipalities, under their Acts, have been given certain powers, but here those powers have not been given.

25945. A municipality is occasionally granted preventive powers in regard to the adulteration of food, but when there is a particular case in question it has to be prosecuted under the general law?—Yes.

25946. Do you propose to eliminate that and let the committee of the Municipal Council decide cases?—I do not mean to take away the jurisdiction of the Courts; but municipalities should be armed with sufficient powers to make rules in respect of all these matters.

25947. Do you propose that these Advisory Councils should be purely advisory; suppose the Deputy Commissioner disagrees with the majority of his Advisory Council, what is to happen?—I should think that in respect of questions which are submitted to them the Deputy Commissioner or the Commissioner, as the case may be, ought to go by the opinion of the majority.

25948. But suppose he finds it impossible for him to accept the opinion of the majority, what is to happen then?—Then their opinion, of course, goes for nothing; but at the same time, in spite of all that, it would be beneficial, and it would make the Administration more popular.

25949. As a lawyer you know the difference between a case tried with assessors and a case tried by a jury; are these people to be assessors or are they to be jurors?—I should like them to be jurors.

25950. In that case, if the Deputy Commissioner disagreed, he must refer it to some superior authority?—Of course there must be a constitution in respect of these Advisory Councils, giving defined powers to the Commissioners and Deputy Commissioners and also to the members of the Advisory Council as to what is to be done in the case of difference.

25951. Would you introduce such Councils throughout the province or would you try them as an experiment?—In the first instance I should try them as an experiment in some selected districts and divisions.

25952. (*Sir Steyning Edgerley.*) Could the delegation of powers which your recommendations involve best be done from time to time by a general Act of delegation such as Act V. of 1868?—Yes.

25953. Would it be necessary, or desirable, to include in such an Act a provision for prior notification of intention to delegate?—I think so.

25954. Do you think, if that were done, that would be a sufficient safeguard?—I think so.

25955. You think there would be no public complaint as regards an Act of that sort?—I am not prepared to say that, but so far as possible there might be less chance of complaint.

25956. So far as your own judgment goes you think that that would be a satisfactory instrument for the purpose?—Yes.

25957. (*Sir Frederic Lely.*) You would take away the power of appeal against the dismissal of municipal employees, would that be popular?—Not just at present. It depends on the way in which you have to deal with the people; if they are educated, and if they have confidence in the committee, I do not see why there should be any reason for dissatisfaction.

25958. Would you have all the members of the municipality elected?—Some might be nominated for the different classes and interests.

25959. Would you give Government power to interfere in cases in which the municipality had defaulted?—Yes.

25960. Would you give them power to suspend the whole municipality in case of failure?—In the case of gross neglect.

25961. You suggest that the power of the Commissioner or Deputy Commissioner to suspend the operation of any resolution or order passed by a committee should be confined only, say, to cases where the resolution or order has not been unanimously passed, and where its execution is likely to lead to a breach of the peace. If it was unanimously passed, do you think he ought to interfere, even if it was likely to lead to a breach of the peace?—No, I do not say that; if it was likely to lead to a breach of the peace, in spite of its having been passed unanimously, he should have the power.

25962. What would be the exact result of the general Act of delegation which you have recommended?—All I can say is that there will not be the necessity of making so many notifications every time.

25963. (*Mr. Dutt.*) Suppose certain powers have been conferred on the Central Provinces Administration by law, and a general Act of delegation was passed, the result of that would be that the Chief Commissioner would be able to delegate any of his legal powers to any subordinate officer, either the Commissioner or the Deputy Commissioner, without any amending Act?—Quite so.

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25964. Would you like that, or do you think that specific delegation Acts would be preferable?—I think in respect to the delegation to subordinate officers there might be certain restrictions.

25965. Where it is desirable to delegate a power reserved to the Government by a specific Act, would you allow the Government to delegate that power simply by notification under a general Act, or by an amending Act?—I think by notification.

25966. You say you would abolish the post of the Settlement Officer and make the Commissioner the appellate authority in questions relating to settlement. Is it not desirable to have one Head of the province in settlement matters?—The Commissioners know more about their divisions than one man for the whole province could possibly do.

25967. What advantages do you expect from giving the Commissioner of the division appellate powers with regard to settlement matters?—He will be able to bring so much local knowledge to bear upon the questions that arise.

25968. Where does your Sub-Divisional Officer now live in this province?—At headquarters.

25969. Would you recommend that he should live in his own sub-division?—I like the present arrangement; I think that they should remain at headquarters, but as often as necessary they ought to go out on tour. That is the system now.

25970. Have you any reason to think that the Deputy Commissioner has not sufficient supervision over the police?—I do not know about the powers, but they do not exercise those powers.

25971. Ought they to exercise their powers more frequently?—Yes; and though it might not be called an actual appeal, there may be a sort of reference made in all cases from the authority of the Deputy Commissioner to the Commissioner. I would again rely upon the local knowledge which the Commissioner is likely to possess.

25972. Would you give the Commissioner power to transfer only officers in the Subordinate Service, or also officers in the Provincial Service?—Both in the Subordinate Service and in the Provincial Service.

25973. (*Mr. Hichens.*) Do you have to set aside a definite portion of your municipal income for schools and a definite portion for hospitals and definite portions for other things?—No.

25974. Can you spend as much or as little as you like on schools?—There is no definite division provided, but we know that the yearly expenditure on schools is so much, and that we have to allot in any case.

25975. But how is the amount arrived at?—We know very well how many schools there are, and what it costs to maintain them from our previous yearly budgets.

25976. You have to pay for all the schools?—All our primary schools.

25977. Plus the salaries and everything else?—Yes.

25978. Do you get a Government grant for general purposes, apart from education?—No.

(*The witness withdrew.*)

Mr. N. K. KELKAR was called and examined.

25979. (*Chairman.*) You are a pleader?—Yes. I reside at Balaghat. I have been a member of the municipality and Honorary Secretary since 1892 and a member of the District Council since 1896.

Municipalities in urban tracts and District Councils and Local Boards in the rural areas are the forms of local self-government obtaining in these provinces. Both have so far more or less failed to bring home to the people the importance of local self-government. The Government perhaps introduced these forms of local self-government in several places all over the province almost indiscriminately, and, having introduced these forms of self-government, they did not pursue a

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liberal policy in the matter of encouraging and fostering them. The time has come for the revision of the whole system both in form and substance from bottom to top. The system of elections has been a hopeless failure. The *mukaddams* primarily constitute the chief body of voters entitled to elect members to the Local Boards. Professional and mercantile men have also a right of election. But both these classes of men have got very little or no personal interest of their own at stake and are not likely to be affected or prejudiced by the mismanagement of a local body's affairs, and therefore one would naturally find both these classes of men taking no interest in elections. The incomes of Local Boards or District Councils are ear-marked and derived from Government direct by means of allotments or assignments of certain kinds of cesses and contributions. The cesses are imposed at settlement by Government officers without any voice or say on the part of people's representatives. Indeed, the District Council or Local Board possess no power of imposing taxes or of deriving income from other sources except contributions from Government. The fund technically called the local fund is only nominally so, since it is money belonging to, or carved out of, provincial revenues, and local officers of Government, acting under the settled policy of the Central Government, are always over-anxious to reserve to themselves exclusive and absolute control over the finances. Local self-government (barring perhaps in a few districts) has been a mere farce. Everybody looks upon it as one of the departments of Government, virtually managed by Government officers.

So far as District Councils and Local Boards are concerned the appointments, transfers, dismissals, &c., of school-masters are under their control. For want of adequate funds they cannot engage their own independent supervising staff and they have therefore in the main to depend and act upon the reports of the deputy inspectors of schools. The local bodies are supposed to make no change in the curriculum laid down by Government educational authorities. They are supposed to abide by the fee rules prescribed by Government. They are not supposed to use in school any books other than those appointed by Government. The scholarships though paid from the so-called local fund are absolutely in the giving of the circle inspector of Government.

As regards works, such as construction of roads, wells, buildings, &c., a district fund overseer is appointed to supervise these works. The Deputy Commissioner is supposed to appoint the overseer with the consent of the District Council. Under the standing orders of the Local Government the district fund overseer is to act under the orders of the Deputy Commissioner or tahsildar. The Deputy Commissioner and under his orders the tahsildar are primarily responsible for the execution of these works for which the District Council is to spend money under the orders of the Deputy Commissioner. Local bodies are not supposed to undertake any new works of, and above, certain values without the previous sanction of the Deputy Commissioner or Commissioner. The post of a Divisional Engineer is newly created with a view to help the local bodies with expert advice. The pay of this officer and of his establishment is wholly contributed by various local bodies in the division, but the appointment, dismissal, &c., of this officer is in the hands of the Commissioner. The ferries are auctioned by the tahsildars, who merely send the auction papers to the District Council for formal sanction. The arboriculture is managed by that officer. The District and Divisional authoritites have solely appropriated to themselves the financial control over the local bodies. The account rules laid down by the Comptroller are supposed to be adopted by the local bodies, who cannot keep accounts on forms other than those prescribed by the Comptroller. The District Council is supposed to purchase stationery from the Government Stationery Department and from nowhere else. A number of departments, such as Vaccination, Veterinary, Dispensaries, are made over to the management of the local bodies, although the local bodies do not possess expert agencies of their own to manage them. The vaccinators were ordered to be transferred to the control of the local bodies with effect from the 1st October, 1907, but with this transfer the Government has not transferred the supervising staff. Up to now the vaccinators though paid from revenue belonging to the local bodies, were provincial servants of Government. Though the payment used to be made by local bodies, the vaccinators were not subject to the control of these bodies, but the Government has recently decided to transfer the vaccinators' services to the local bodies. The Veterinary Department is pretended to have been placed at the disposal of the local bodies, but over this department also the Council's control is nominal.

It is only, say, once a month, or once in two or three months, that the members have the good luck of being called together with a view to attend the show of taking part in the deliberations of the Local Board or District Council.

My remarks about elections for Local Boards apply equally to District Councils, the office-bearers of which are for the most part salaried officers of Government. The first duty is to form electorates. For each patwari circle, or wherever that is not possible, for a group of two or more patwari circles. a panchayat should be formed. All the villagers in each village constituting the patwari circle or circles of a prescribed status or earning a certain amount of minimum income should have a right of vote to elect members to these panchayats. In the case of tenants it may be desirable to make their eligibility depend upon the payment of a certain amount of annual rent. Subject to the aforesaid restrictions, traders and merchants in the villages deriving not less than Rs. 120 annually may be eligible to vote. The voters may not necessarily be literate, but the panchas must be. In order to avoid any possible abuse on the part of villagers in the matters of election or in order to secure the services of the best men available in any locality who, for various reasons, may not like to stand as candidates at elections, either the District Board or the Deputy Commissioner may have a right of nomination. In Indian society instances of people unwilling to stand for election may be found in numbers. It will be long before people forget their differences which deter them from standing as candidates, but the number of nominated panchas should, on no account, exceed the elected. The whole body of panchas may consist of not more than seven in the proportion of five elected to two nominated.

These provinces in which the *malguzari* system prevails, and in which the *malguzar* is still looked upon in many localities as a family counsel or social guide in many walks of rural life, are most suited for the establishment of village panchayats. Under the present system the *malguzar* or other influential men in the villages hesitate to interfere as their position as village arbitrators is losing recognition in any quarter. Another reason which has prompted me to be so keen about the panchayats is the knowledge I have gained from the recent conciliation proceedings so marvellously carried to a successful termination under the guidance of Government officers. Government officers had to meet with difficulties and obstacles in the beginning, but very soon afterwards both the debtors and creditors cheerfully submitted to the Board's decisions and got what they could get in law courts without much trouble and with very little expense.

The panchas should be the primary agents for the direct execution of some of the duties vested in the present District Council or Local Board. In many parts of these provinces people will gladly accept the following duties:—Management of cattle-pounds and of small irrigation tanks or wells; construction and repairs of pounds, sarais, wells and school buildings; season and petty repairs to inter-village roads; village sanitation; management of markets; village and roadside arboriculture for which an agriculturist has some liking; management of village camping grounds; control and supervision of village ferries; and the settlement of petty civil and criminal disputes, including power to punish for offences against sanitation as well as

against the Local Self-Government Act, or the rules and by-laws made thereunder and also to compound such offences. The last should be the fundamental duty of the village panchas. Indeed, some permissive enactment may be passed making it compulsory for the people to refer in the first instance their disputes to the villages panchas and barring the jurisdiction of the courts unless the plaint or complaint is accompanied by a certificate from the panchas to the effect that owing to some difficult question of law or fact involved in the case, the case, in their opinion, is a fit one to be disposed of by a stipendiary tribunal.

In the execution of these duties the panchas should be subject to the control of no one except the District Council or District Board. On no account should the District or Divisional authorities interfere with the panchas, and the duty of the guiding officer should be to guide and advise and not to interfere. In case the Local Government consider that any panchayat is not working properly, they may call upon the District Board to dissolve the same and have a new panchayat elected.

The panchayats shall have an unqualified right to elect their own office-bearers, and they should act under such by-laws as may from time to time be framed by the District or Provincial Boards. The term of panchayat should be three years ordinarily for the present. From the above list of duties I have purposely omitted schools, as I have gained an impression from the working of the present School Committees that they can do very little practical work in the interest of education as such. They may look after the repairs, etc., but the education as such may be managed by a body of non-official experts.

If the panchayats are well established, there will be no need to have the present Local Boards. In order to make local self-government a success, it is necessary to have a deliberative body consisting only of non-officials for each district very nearly resembling the present District Councils. The village panchas from all parts of the district should have the right to elect members to this Board, but the elections may be supplemented by nominations by Government of non-officials to protect the interest of individuals otherwise qualified who, for reasons already mentioned, are afraid of running the risk of incurring failures at elections. The number of such nominated members may not exceed one-third the total number of members. No officer of Government may be allowed to take part in the deliberations of the District Council as that has so far hindered the progress of free and independent opinion of self-governing bodies. The members of the District Board or Council should have an uncontrollable right of electing their office-bearers. The number of members must vary according to the size and importance of each district.

My remarks with regard to official control apply equally to the municipalities also, but these bodies enjoy larger powers both in the matter of taxation as well as in the execution of some of the duties entrusted to them. Here again the same complaint is heard that municipality is a Government Department where everything is done or ought to be done under Government *hukum*. In the Municipal Committee also there should be no official element, all the office-bearers should be non-officials, and the power of electing office-bearers should be absolute.

The District Council should have the power to allot sums of money to each of the village panchayats for the efficient execution of the various duties entrusted to them. They should have the power of imposing sanitation taxes, levy bazar dues, cattle registration fees, to impose wheel-tax on all carts engaged in mineral and other traffic, not of course of agricultural produce, and also to charge broker's and weighman's fees. In addition to their incomes which the District Councils at present derive from school and road cesses, ferries, cattle-pounds, *nazul* lands, arboriculture and other miscellaneous sources, the District Council should have a right to receive from Government in the shape of tax a certain percentage on all revenues they derive from all sources in a district. The fund so constituted by these various means should be at the absolute disposal of the District Council. They must be at liberty to act without any sanction of the District or Divisional authorities or Heads of any Government Department, but subject to the control of the provincial Board hereinafter mentioned. Municipalities should have the same powers of raising and administering their own funds as the District Councils. The Government may have a right of inspecting accounts, watching the general working of the various local bodies. The Government officers may make suggestions, but because their suggestions are not carried out the Government should not interfere unless a strong case of real injustice or wanton waste is made out or unless it is apparent that a local body is unreasonably obstinate.

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The different departments under the management of the local bodies in a district should be supervised by an inspecting staff of their own directly subordinate to them and paid from their funds. There need not be separate inspecting officers for District Boards and municipalities in a district. With a view to the harmonious working of these departments in a division, there may be divisional inspecting officers consisting of experts in the respective branches. These divisional inspecting officers should also be paid from contributions from the several local bodies in the division. The inspecting staff for the district and division would thus consist of—(1) *For a district*—a deputy inspector of schools; an Engineering Upper Subordinate; and a vaccination superintendent. (2) *For a division*—an inspector of schools; a Divisional Engineer; and a Superintendent of the Veterinary and Vaccination Departments. The transfer of these inspecting officers and even of the lower subordinates in different departments from one district or division to another in consultation with the local bodies concerned may be of great use and should be allowed as often as necessary.

The machinery of local self-government in a province, without a provincial body to harmonize the working of the different local bodies, would be incomplete. There should therefore be a provincial Board consisting of a representative for each division in the province elected by the different local bodies in it, having power to sanction the imposition of taxes; sanction by-laws; frame rules and regulations, including account rules for the guidance of the various departments under the control of the different local bodies; to sanction budgets and re-appropriations; to appoint committees of non-official experts to consider questions and make suggestions in connection with educational and other matters requiring professional advice; to transfer, appoint, dismiss and punish servants in the divisional inspecting staff. This Board will have a central office of its own with a paid Secretary and staff paid from contributions from different local bodies, and will decide questions in connection with the above-mentioned matters.

It would not be advisable to place minor municipalities in the district under the control and supervision of either a District Board or Council or even of the municipality at the headquarters. Every municipality, however small it may be, must be an independent body and must be left to manage its own affairs subject to the above remarks about Government help and guidance and control of the provincial Board.

It is not necessary for the District or Divisional Officers to have separate Advisory or Administrative Councils at least so far as local bodies are concerned. The District or Divisional authorities may consult such bodies on any point they like.

25980. You tell us that the income of the Local Boards and District Councils are derived from Government. In what proportion is the income derived from the Government?—The whole income is from Government.

25981. Some of the District Council income is derived from cesses?—But the cesses are realised by Government.

25982. What proportion does the income which is not derived from cesses bear to the income

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derived from cesses?—There is no fixed proportion; it varies with the districts.

25983. Suppose the District Council had the power of imposing taxes, would they raise money by taxation?—They would.

25984. For what particular purpose?—For all purposes generally, for roads, village sanitation, arboriculture, education, cattle-pounds and so on.

25985. We have had suggestions made to us that the resources of the District Boards are too small; you think that they would be made good by increased taxation if the District Councils had the power to do so?—Yes.

25986. Are not the Local Boards presided over as a rule by the tahsildars?—Yes.

25987. It has been suggested to us that the Chairman of the District Council has very little to do with the executive power; by whom is that generally managed?—The Secretary of the District Council has generally the executive power.

25988. Not the Chairman of the Local Board?—For all executive purposes, so far as the execution of works is concerned, all the works are executed through the tahsildar, who happens to be the Chairman of the Local Board.

25989. But he does it under the orders of the District Board?—Nominally under the orders of the District Board; he is supposed to do it under the orders of the District Board, but he does it on his own responsibility. The tahsildars in this province have appropriated to themselves all the functions of the local bodies.

25990. Even those of the District Council, of which they are not members?—In some districts the tahsildars are members of the District Councils, but not in all districts.

25991. You say that he shows a tendency to make his position felt; in what sort of way?—In every way. The members as a rule are supposed to do the work under their own supervision, and the money is given to them; but practically the tahsildar keeps the whole of the money himself, and asks the members to do the work just as if they were contractors.

25992. Do they do that work?—They do it.

25993. Are they glad to do it?—I am doubtful.

25994. How would you like to see the work done?—It should be done under the supervision of the members and through the District Fund overseer.

25995. Then you say that the tahsildar sometimes forces the local bodies to sanction expenditure?—Yes; they incur the expenditure beforehand and send to us a memorandum that they have incurred the expenditure, and we have to sanction it.

25996. But suppose the President of the District Council said "I am not going to pay," what would happen?—It would create friction, and the Deputy Commissioner would say "As you disagree with the tahsildar in this matter no works of yours at all will be executed"; that would be the result.

25997. Has that ever been attempted?—It has not been attempted; we sanction expenditure; that is all.

25998. Do you work through committees on your District Council at all?—Yes; we have sub-committees; we have a Public Works Committee, an Education Committee, an Executive Committee, and a Finance Committee.

25999. Who is the Chairman of these committees?—One of the members of the sub-committee is the Chairman.

26000. Not the Chairman of the District Council?—Not necessarily.

26001. But, generally speaking, is he?—Generally speaking.

26002. You rather suggest that the powers of the Local Boards have been extended at the expense of the District Council?—Yes. Nowadays there is a tendency on the part of the Local Administration to extend the powers of the Local Boards and to curtail those of the District Council.

26003. In what particular direction?—In every respect. They are supposed to be the masters; the funds are allotted to them, and they are no longer responsible for the expenditure of the District Council.

26004. Are the budgets of the Local Boards sent up to the District Councils?—They are.

26005. Have the District Councils any power of supervision over them?—To a very limited extent.

26006. But, notwithstanding that, you would lead us to believe that the Local Board is the master of the District Council?—Yes.

26007. Do you think that that is a good system?—No.

26008. It was suggested to us in another province that it might be well to abolish the District Council altogether, and have nothing but the Local Board. Would you agree with that suggestion?—We must have a deliberative body; I do not agree with that suggestion, especially as I am of opinion that there should be village panchayats or circle panchayats.

26009. It might be possible to very largely increase the powers of the Local Board and get rid of the District Board altogether?—Yes, but not now. It will take some time.

26010. Do you think it would be a good thing to do?—Not in these provinces just now.

26011. What is your opinion with regard to panchayats?—My suggestion is that there should be a panchayat for each group of a patwari circle consisting of about five to seven villages; in some cases it might be possible to have a panchayat for each village.

26012. What would be the population of such a circle of villages?—Generally it is less than 1,000 in a village. It would be about 5,000 to 7,000 people.

26013. You could entrust them with various powers?—Yes. My idea in giving these powers to the village or circle panchayat is that there should be so many Local Boards; I would give them all these powers which are at present exercised by the Local Boards.

26014. But the real duty of the panchayat should be the settlement of small disputes?—Petty, civil and criminal disputes.

26015. Would you make that decision of the panchayat final?—Final, with no appeal.

26016. Have the municipality at the present moment all the functions that they can usefully discharge?—I think they have.

26017. At present the budget has to go to the Commissioner?—In the case of minor municipalities where the population does not exceed 20,000; in other cases it goes to the Chief Commissioner.

26018. Do you wish the control of the Commissioner entirely removed?—Yes.

26019. Would the municipality be prepared to accept entire responsibility in that case?—It should do.

26020. At present the Government would come to the aid of a municipality that got into debt and could not discharge its liabilities?—In that way the Government must come to the assistance of the municipalities every time, but the control, which is at present exercised by the Divisional Commissioner, should be removed.

26021. Is that a logical position?—The question is, how the municipality got into difficulty. If it were necessary to meet public demands the Government must come to the assistance. Suppose, for instance, we want money for sanitation purposes, or for plague, the Government must of necessity come forward and relieve us.

26022. Even although you got into financial difficulties by your own folly?—Not by our own folly. If a municipality had got into difficulties by their

own folly, then it would be unreasonable to expect Government to afford pecuniary assistance.

26023. Then what would happen?—Then they must raise the money themselves by taxation.

26024. The Government should step in and take over the powers?—Yes, in some cases.

26025. You prefer that to the present system of control of the budget?—Yes.

26026. If your views were met as to District Boards and municipalities and panchayats, then you think it would not be necessary to have Advisory or Administrative Councils?—That is so.

26027. Otherwise, suppose the present system continues, what do you say?—Even if the present system continues, the District Officer should make use of the District Boards or District Councils as they exist.

26028. (*Mr. Dutt.*) You say that there is a tendency to appoint Government officers to the post of Secretary of the District Board?—Yes.

26029. Who appoints the Secretary?—The Commissioner; he is nominated by the Deputy Commissioner, and his appointment is subject to the sanction of the Commissioner.

26030. And the Government generally appoints officials as Secretaries to the District Councils?—Yes.

26031. Do you think that that practice should be changed?—Yes for this reason; all the executive power is placed in the hands of the Secretary, and therefore it should be in the hands of a non-official. The District Council should have power to appoint their own Secretary.

26032. You say that the members of the District Council when they come to a meeting do not know beforehand what are the subjects for discussion. When a notice is sent round, does it contain a statement of the subjects which are coming up for discussion?—No, never.

26033. Is it desirable that it should?—Yes.

26034. As a rule do most of the members live in town, or do they live in the interior?—In the interior.

26035. Do many *malguzars* live in the villages?—Yes.

26036. What position would you allow to these *malguzars* in the panchayats formed in those villages?—Not any particular position; it would go by personal qualification; because he is a *malguzar* he should not have any particular position or any particular hand in the government of the village.

26037. You have also said that Educational Officers and others should help in the formation of these panchayats. Would you approve of the idea of appointing some special officer to go round and create these panchayats and supervise their working?—I would dislike the idea of appointing a naib-tahsildar to educate these panchayats. I would like an experienced and sympathetic officer having at least ten years' experience, not below the rank of an Extra Assistant Commissioner on Rs. 500.

26038. Should these panchayats exercise their powers subject to the supervision of any officer, or only subject to the supervision of the District Council?—Subject to the supervision of the District Council.

26039. Will the District Council be able to supervise the work of all the panchayats in a large district?—I think it will.

26040. Do you desire that the decisions of the panchayats in petty civil and criminal matters should be final, or should they be subject to appeal?—I have already said that they should be final.

26041. You say that panchayats should have the power of imposing a sanitation tax; in what form should that tax be imposed?—A sanitation tax must be a personal tax.

26042. Would the villagers not grumble at it?—Every tax is disliked by the villagers or by any persons; nobody likes the idea of taxation; but we cannot make any improvements without money.

26043. Would that not endanger the success of your scheme of panchayats?—I do not think so.

26044. Eventually they will see the benefit of it, and the unpopularity will disappear?—Yes, and therefore we should select at first only the most advanced villages where there will be the least probability of grumbling.

26045. You say that the municipality should have the same powers of raising and administering their own funds. Do not the municipalities raise their own funds now?—They do, but they are subject to the control of the Divisional Officer and Chief Commissioner. We are not supposed to impose any tax except with the previous sanction of the Chief Commissioner.

26046. The municipal law enumerates a number of taxes; you want to invest the Municipal Commissioners with the power of imposing any tax within that list?—Yes.

26047. And you do not think there is any danger in doing that?—No.

26048. Who appoint the Secretaries to the municipalities?—The Commissioners of Divisions.

26049. Are those Secretaries Government servants or non-officials?—Some of them are paid Secretaries; they are paid by the municipalities themselves; some are Honorary Secretaries and some Government servants.

26050. But who appoints those who are paid?—They are appointed by the municipality; it is only the appointment of Honorary Secretaries that is subject to the sanction of the Commissioner. The appointment of a paid Secretary is not so subject.

26051. You have spoken of the poverty of the municipalities and of their inability to undertake large sanitary reforms. Is it within your knowledge that the municipalities have received any contributions from the Government for specific sanitary reforms?—It is not within my knowledge.

26052. When large sanitary works are undertaken may the municipalities reasonably expect some help from Government?—Certainly.

26053. Are you aware that the District Boards have received contributions from the Government?—Not to my knowledge.

26054. (*Mr. Meyer.*) Do you have this organisation of a Chairman and Vice-Chairman and a Secretary for every municipality and District Board in the province?—I have never heard of any such post as that of Vice-Chairman of a District Council. It is only the Nagpur District Council that has that post.

26055. The ordinary District Council has a Chairman and a Secretary?—Yes.

26056. Is the Secretary generally a paid Secretary?—No. He is generally a non-official; he gets no special pay for doing this work.

26057. Suppose he is an Extra-Assistant Commissioner, he gets paid as Extra-Assistant Commissioner, and he gets no allowance for acting as Secretary to the municipality?—No.

26058. And any non-official gentleman of course gets nothing for acting as Secretary?—No.

26059. Then the tahsil Board has also a Chairman and Secretary?—Yes; the tahsildar is generally the Chairman, and the naib-tahsildar is generally the Secretary.

26060. Are not your municipal taxes laid down by a definite Act?—Yes.

26061. Did you say that you have to get the specific sanction of the Commissioner year after year to levying a house and land tax at a certain percentage?—The *haisiyat* tax.

26062. What is that?—I call it a municipal income tax.

26063. It is a sort of tax on occupations?—Yes.

26064. Your chief income is derived from house and land tax, tolls and market dues and so on?—Not necessarily; in the minor municipalities we

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get the larger portion of income from the *haisiyat* tax.

26065. You do not have to go up year after year to levy the house tax?—No.

26066. Once you levy it at a particular rate, it goes on being levied until you find it necessary to alter the rate?—Yes.

26067. As regards your panchayats, you propose to give these panchayats considerable powers. They will be petty judges; they will have to deal with sanitation and markets and the construction of pounds; will not the position be rather sought after?—They will take the place of the present Local Boards. My idea is that the area covered by the present Local Boards is too large.

26068. We have it from other witnesses that the Local Board is merely the agent of the District Council; the District Council agrees that a particular market or school shall be established, and the Local Board is told to see to it; is that the case?—If that is so, it is better to have as many agents as possible.

26069. Are these panchayats in their circles to be bodies having a real power to discriminate, to say, "We will have a market here and not one there; we will dig a well or we will not dig a well"; or are they to be under the control of the District Council?—They would be under the control of the District Council, but once the power is given them they will be the absolute masters.

26070. Take the question whether a well is to be made in the village or not; the panchayat is to decide upon it?—Yes, subject to the funds at their disposal.

26071. Is there not likely to be a good deal of intriguing and wire-pulling in respect of the panchayat elections?—No. In case there should be any wire-pulling I have given power to the District Council to make nominations, to protect the interests of individuals who might suffer by wire-pulling.

26072. There is a certain amount of wire-pulling in municipal elections?—Yes.

26073. You think that that would not be repeated in the panchayat elections?—I have guarded against it.

26074. You propose a franchise; for instance, you say that merchants and traders deriving not less than Rs. 120 annually may be eligible to vote; would that be practicable; who is to find out whether they get Rs. 120 or not?—The District Council would find out.

26075. Would they do that accurately?—I think so; when you have to fix an income, of course it is only approximate; no accurate estimate is ever possible.

26076. Would not the low-caste people be cut out altogether?—I have given the power of voting to all persons in the village, provided they are tenants or professional men.

26077. You say "In the case of tenants it may be desirable to make their eligibility depend upon the payment of a certain amount of annual rent"; will not that cut out most, at any rate, of the low-caste people?—No, I do not think so; generally they are tenants in this part of India.

26078. Suppose that in particular villages they were cut out; would that be satisfactory?—If they were otherwise qualified, then the District Officer or the District Council would come to their relief, and they would be nominated.

26079. You say that the District Council should have pretty large powers of taxation; who is to enforce the taxation?—They would enforce it by their own agency.

26080. These are to be non-official bodies; the Government is not to have anything to do with them?—Just so.

26081. Suppose (it has happened and it might happen again) the people object to paying a sanitation tax or a cattle registration fee; what is to be done?—They must have power to realise the amount.

26082. The Government is to compel the people to pay the taxes that these bodies impose?—Yes, just as in the case of the municipalities.

26083. But, at the same time, it will get all the odium of levying the tax, while it will have no control over the imposition of the tax or the way in which it is to be applied?—The District Council would bear the odium.

26084. If the tax is levied by means of Government servants will not the people still blame the *Sirkar* for the imposition of the tax?—Not necessarily.

26085. You say further that the Government is to contribute to these bodies a percentage of all the revenue derived from all sources in the district. Is that a practical method; would it not lead to grave inequalities? All the *ganja* cultivation in these parts is concentrated in Khandwa; consequently Government derives a large amount of revenue, in that particular district, from *ganja* which is consumed all over the province?—In such cases you may have to make exceptions.

26086. The Deputy Commissioner is to have nothing to do with these Boards?—No.

26087. Who will become the principal power in the district—the Chairman of the District Council?—The Chairman and Secretary of the District Council, so far as the affairs of local bodies are concerned.

26088. The Deputy Commissioner will be a simple collector of revenue, and a policeman to keep the district quiet for the benefit of the Chairman of the District Council?—And otherwise the adviser of the District Council.

26089. Things being as they are now, is that a practical policy?—Yes, I think so.

26090. Have you read anything about local self-government in England?—Not much.

26091. Do you think that in England municipalities and Local Boards are allowed the free hand that you desire to give to these bodies?—I do not know.

26092. Who is to control the Divisional Inspecting Officers?—The provincial Board.

26093. You speak about the provision of a Divisional Engineer; is that being carried out throughout the province?—No, only in the Nagpur Division.

26094. You seem to look upon that rather as a grievance to the District Council?—No; his appointment and everything is under the control of the Commissioner.

26095. May it not be looked at as the initiation of a policy which may eventually lead to each District Council having its own engineer?—Yes, probably.

26096. In that case it would be rather an advantageous policy?—It might.

26097. As regards vaccinators, they have now been made a local service, have they not?—Yes.

26098. They were on a provincial list?—They are on a provincial list.

26099. You say "they were ordered to be transferred to the control of the local bodies with effect from the 1st October, 1907"?—That is to say, they are District Board servants instead of provincial servants from that date.

26100. Is not that, from the point of view of local self-government, a good step?—It may be a good step provided we are able to control it. The vaccination superintendent will be a Government servant, and the vaccinators will be under the control of their superintendent and the Civil Surgeon.

26101. Still, their appointment and dismissal will be transferred to the District Council and its Chairman?—That is no control at all.

26102. At any rate it is the beginning of a possible control?—It may be a beginning, but in other directions it might be a disadvantage; we cannot pay pensions to these men.

26103. Is there anything to prevent you, if you have the means, starting provident funds for your employés?—There is nothing to prevent us, but the practice is that we never pay any pensions to any District Council servants.

26104. As regards the veterinary work, you say you have not enough power there; what would you like to have?—The Hospital Assistant is subject to the control of the divisional inspector and superintendent; he is appointed and transferred and his leave is granted by the superintendent.

26105. Then in this, as in all cases, your general policy is that the Board should have the control of the establishment?—Yes; at present we are merely the payers; we have simply to cash the cheque on the first of the month according as the bills are received.

26106. (*Sir Steyning Edgerley.*) One suggestion you make regarding the grant of power of taxation to District Councils is that that is the first step in producing an interest amongst the electorate as to who are elected to the District Council?—That is one of the steps.

26107. Because then the Council will have power to hurt them; is that the reason?—Yes, I have already stated that that power is generally held by the people.

26108. Could you give us the names of, say, two districts in these provinces where you think your experiment could be tried with a good prospect of success?—You mean about taxation?

26109. About the whole scheme; it would be a slow growth, but which two districts, if you had a free hand, would you begin with?—With regard to the panchayats, my idea is that they should be started in backward districts like Balaghat or Bhandara.

26110. You would begin in the backward districts with the panchayats?—Yes; there the people have to unlearn very little and to learn much; I would therefore try the panchayat system in districts like Balaghat.

26111. Would you begin the District Council system until you got your panchayats in working order?—Yes.

26112. Then what would you do with what you would call the forward districts; would you leave them alone?—No, they must go by themselves; if they see that the panchayats in other districts are doing real good for the people then they must apply to introduce them themselves.

26113. I suppose you would want a very elastic Act to supply these powers?—No doubt.

26114. Would you do it chiefly by making rules?—I think some enactment is necessary.

26115. But what form should the legislation take; would you have a general Act with rule-making power?—Yes, a permissive enactment.

26116. (*Sir Frederic Lely.*) Have you ever lived in a village?—I have not actually lived in a village, but I have come into contact with villagers often. I have talked to the villagers about the panchayat, and they seem to approve of the idea.

26117. The panchayat system that you propose is not based on the single village?—That is because in this part of the country it is not possible to have a panchayat for each village, but there may be some villages in which a panchayat might be established.

26118. It is no part of the old village system of the country?—No.

26119. The essence of the old village system is, a number of people living together who are driven by common interests to joint action; but that principle is abandoned when you group separate villages together, each with an interest of its own?—The villages in this part of the country have practically a common interest.

26120. The separate villages have common interests, but they have not the common interests of people living together side by side?—They have in this part of the country; they have to pay the same taxes, the same cesses, the same land revenue.

26121. But they have not the same interest in the common affairs, the common well, the common tank, the common school and so forth?—No; they might in the case of the school; there may be a school for one or two villages.

26122. However, your panchayat is based on altogether novel lines?—Yes.

(*The witness withdrew.*)

Rai Sahib MATHURA PRASHAD was called and examined.

26123. (*Chairman.*) You are a pleader, of Chhindwara?—Yes. I am Honorary Secretary of the District Council, a member of the Municipal Committee, a member of the Dispensary Committee, and Vice-Chairman of the School Committee. I have been such in various capacities for the last 16 or 17 years.

The right of appeal should not be curtailed nor should a certificate from the authority passing the order appealed against be insisted upon. Officers of Government should certainly be allowed to approach to the higher authority with their representation against orders affecting them personally, inasmuch as to most of the officers severe punishment means substantial loss in honour, reputation and prestige. But I would confine the right of appeal to the case of officers of superior Services. The officers of inferior grades should be allowed to appeal to their Departmental Heads only against the orders passed by District or Departmental Officers. In the case of superior officers appeals to the Local Government or Government of India should be made permissible. All Government servants should be divided into classes, and the right of appeals should be regulated according to the classes to which they belong. Thus—

(*a*) Power of suspension, reduction and dismissal of all menial servants in the district be granted to the officer under whom they are serving.	Right of appeal to Deputy Commissioner.
(*b*) Power of appointment, suspension, reduction and dismissal of all clerks drawing salary up to Rs. 50 per mensem be granted to the Deputy Commissioner.	Right of appeal to Commissioner.
(*c*) Power of appointment, suspension and dismissal of all clerks above Rs. 50 be granted to the Commissioner.	Right of appeal to Chief Commissioner.
(*d*) Cases in which the power of appointment, suspension and dismissal is reserved to the Chief Commissioner.	Right of appeal to Government of India.

Orders passed on the first appeal to be treated as conclusive, but to be liable to revision by higher authorities. Executive Officers of Government do get sufficient opportunities for personal contact with the people, but they are very seldom seen to make use of such opportunities. This state of things is attributable to the following causes:—The want of inclination among European officers to mix with the people and to learn their manners and customs; want of sufficient time; and want of a thorough knowledge of the language spoken by the people of the country.

The Deputy Commissioner or other Executive Officer, when out on touring duties, should invariably consult the principal residents of the town

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or village about the working of the Forest Laws, Excise Rules and police, &c.; when at headquarters he may see or meet only members of the District Council and Municipal Committees, inasmuch as the latter represent the town and the former represent the entire population of the district. If the Deputy Commissioner is unable to spare time for granting interview to each member of the local bodies separately, let him come and attend the meetings with a view to discuss matters with them and exchange ideas. There are no existing obstacles in the way of Executive Officers coming in personal contact with the people. The whole thing depends upon the personal inclination of the officer. Deputy Commissioners are much overworked, and consequently they cannot spare time to meet the people. Relief should be given in the form of either dividing the district or creating smaller charges or sub-divisions to be put under the control of Sub-Divisional Officers. To give more Assistants to a District Officer and then allowing them to stay at headquarters will not render any relief to him.

Most of the European Executive Officers do not care to study the vernacular language of the district in which they are working. The mere passing of departmental examinations in vernaculars at the very commencement of their official career is not sufficient guarantee of their acquaintance with the language.

Most of the districts may be divided into a larger number of tahsils or sub-divisions, and each tahsil should be put in charge of a responsible officer not below the rank and position of an Assistant Commissioner or Extra-Assistant Commissioner. At present the tahsildar gets a salary varying from Rs. 130 to Rs. 250, and for this pay educated men of good family connection cannot be secured.

If larger powers are granted to Commissioners, Collectors and other local authorities, greater care will certainly be involved in their selection.

District Officers should not be too frequently transferred from one district to another. In the Seoni district, which is quite close to Chhindwara district, in the course of a single year several Deputy Commissioners were posted and transferred. A District Officer should not be removed from the charge of a district for at least three or four years. If his transfer is inevitable, then an Assistant Commissioner, who has worked in that district for some time, should be chosen in his place.

I would propose that the following powers can be safely granted to municipalities:—

(*a*) Power to levy tax.

(*b*) Power of punishing and dismissing the servants should be absolutely granted to the municipality and no appeals should be entertained by the Deputy Commissioner or other higher officer.

(*c*) The present control and supervision by the Deputy Commissioner may be taken away, but the Commissioner's power of supervision should be retained.

(*d*) The Committee be allowed to prepare its own budget and to alter the figures in the budget without any sanction from higher authorities.

(*e*) Office-bearers of each municipality should be, as far as possible, non-official gentlemen.

(*f*) Municipalities should be entirely left to administer their own finances and manage the institutions which they are required to maintain.

(*g*) A municipality may be asked to appoint an Arbitration Board for the disposal of petty civil cases.

I am not in favour of more powers being granted to District Councils and Local Boards than those which are now possessed by them, but these bodies should be freely allowed to manage the institutions for the maintenance of which they have to incur expenditure out of their funds:—

(*a*) The Vaccination Department, though paid for by the District Council, is managed entirely by the Civil Surgeon;

(*b*) The Civil Veterinary Department is also maintained by the District Council, but it is entirely under the control of the Veterinary Superintendent.

The finances of the District Councils are extremely limited, and it is very difficult for them to manage efficiently all the institutions in their charge, or to assume additional responsibilities involving expenditure of money which would amount to neglecting other institutions. The area occupied by a tahsil is generally included within the jurisdiction of a Local Board. This area, comprising many villages, is too large to be properly administered by a Board, and one Local Board should be established for every 150 or 200 villages. The tahsildar or Sub-Divisional Officer for each tahsil will be the *ex-officio* President with a local Vice-President and a Secretary. All these Local Boards will be directly under the subordination of District Council as hitherto, and sums will be set apart annually by the District Council for expenditure by each Board.

I am in favour of the creation of a small Administrative Council to assist District Officers only and not to assist the Divisional Officers. The members of this Council will come in direct touch with District Officers and other higher officers of Government. They will be most useful in removing any misunderstanding which might be created in the minds of the people regarding any measure or action of Government. They will also be in a position to represent to the authorities the real wants and grievances of the people. The following may be the members of the Administrative Council:—Deputy Commissioner; Civil Surgeon; Forest Officer; District Superintendent of Police; one non-official member returned by the district municipalities; if there are more than two minor municipalities one non-official member to be returned by such municipalities; two members to be returned by the District Council; and one member elected by the local Bar. The Deputy Commissioner to act as *ex-officio* President. All members of the Administrative Council should have a right of private interview with the Commissioner, Deputy Commissioner and all Heads of the different Departments in the Central Provinces. Members should have a right to put questions to the Deputy Commissioner or other departmental superiors through him. Non-official members should be entitled to travelling allowances when attending the meetings of the Council. All administrative matters of the district not being secret State matters of confidential character may be brought for discussion before the Administrative Council, including the supervision over the affairs of municipalities and District Councils and Local Boards.

If my opinion about the creation of Administrative Council is not approved, then I should certainly consider it expedient to invest District Boards with powers of supervision and control over smaller municipalities. This should take the place of official control over the affairs of minor municipalities. But these municipalities must contribute towards the cost of maintaining an establishment for the supervision of their work.

The idea of giving the village communities certain powers in the disposal of local affairs is a good one and deserves a trial. A number of petty disputes are even now disposed of by caste panchayats and the grant of powers to the village communities will be a step towards the organization of village panchayats on a proper footing. A trial should be made on the following lines in certain parts of the district, and if successful might be extended in other parts of the district:—The Deputy Commissioner may nominate a number of persons not exceeding five or seven from amongst the permanent residents of the villages for every group of villages comprised in a patwari circle. Such persons should be selected with due regard to their position in society, education and landed property. Headman of each caste should be entitled to preference over others. These panches should be responsible for the sanitary condition of the villages within their group and also for the inspection of schools in their circle. The village chaukidars or *kotwars* should be under their charge, and they should help the schoolmasters in securing

proper attendance of boys at school. I would not put any affairs relating to revenue and police in their charge, as the grant of power with regard to these matters might lead to mischievous results. They should have a *Sir Panch* (President) and a *munim* (Secretary), who must be a literate man. Petty criminal cases, such as assaults, wrongful confinement, criminal trespass and the like, may be handed over to them for trial. Petty civil cases in which the amount of claim does not exceed Rs. 15 or Rs. 20 may be also handed over to them for disposal. If the village panchayat is unable to take up and decide any case which they are competent to dispose of, they should give a certificate to this effect to the parties. With the help of such certificates the parties can have their cases decided before Civil or Criminal Courts established by Government, which should, in the absence of such a certificate, be incompetent to entertain any case which ordinarily falls within the jurisdiction of the village panchayat. All these village unions should be put under the supervision of Local Boards except with regard to matters appertaining to the disposal of civil and criminal cases. An Act of the Legislature may be passed enacting these panchayats and giving them necessary powers.

26124. You tell us that the right of appeal should not be curtailed; that is so far as Government servants are concerned. Would you place any restriction on the right of appeal of municipal employés?—There should be no right of appeal against a municipality dismissing a servant of theirs, for the simple reason that there it is not one man who dismisses, but there are so many members bound together in coming to a certain decision; so that properly speaking it is simply a decision by a jury, and there should be no appeal against that decision.

26125. A decision to dismiss by a municipality might be carried by one vote?—It is generally carried by a majority.

26126. A majority which might consist of one vote?—Still there might be a certain number of votes in favour of the dismissal; it might be by one vote.

26127. Suppose, for instance, the Deputy Commissioner desires that a man shall be dismissed; he carries his case to the Commissioner and the Commissioner agrees that the man ought to be dismissed; would that satisfy you?—That would satisfy me; there should be only one appeal.

26128. You tell us that Executive Officers are very apt not to take advantage of their opportunities of mixing with the people of the district. Do you find that that applies not only to Europeans, but to native officials?—With native officials the cases are different; there are certain circumstances in which they are bound to mix, being of the same society.

26129. But do you find that they are inclined to be stand-offish too?—There may be individual cases, both among Indians and among Europeans, of men who prefer to lead a life of solitude, and for these no rules or regulations can be made; but, especially European officers of Government, if they simply attended the Municipal and District Council meetings, that would help them a great deal. In my experience of 16 or 17 years I have not seen a single Deputy Commissioner attending a meeting of the Municipal Council and discuss with the members the various subjects brought before them, or explain to the members the intentions and aims of Government.

26130. Has he any right to attend?—He has the control of all affairs in his hands, why should he not attend? As a controlling officer he has the right to attend.

26131. Would it not be possible for some member of the Municipal Committee to get up and say, "This is a meeting of the Municipal Committee, and no persons who are not members of the Committee have a right to be present"?—Exactly; the Deputy Commissioner has no right of vote. Anyone can attend. He could not take any part in the meeting

26132. Then what would be the object of his attending?—His object would be that he would be in a position to explain certain matters over which the members found difficulty immediately.

26133. If he could take no part in the meeting, how could he explain to the Committee what the intentions of Government were?—We have seen it by personal experience; the present Deputy Commissioner has been to our Municipal Committees and explained matters to them, producing a good deal of effect.

26134. Suppose the Divisional Officer was a member, even Chairman, of the District Council, would that produce a better state of affairs?—No, I do not think so. Already there is one official who is an office-bearer on the District Council.

26135. Who is that?—Either the Deputy Commissioner himself or the Assistant Commissioner.

26136. What as?—As Chairman.

26137. Do not most District Councils elect a non-official Chairman?—No, most of them elect official Chairman.

26138. There is no obligation to elect an official Chairman?—There is no obligation.

26139. In most District Councils do they elect an official or a non-official Chairman?—According to their desires; the Commissioner has simply got the power of conferring.

26140. You told us that there was always an official present at meetings of these Councils; who is that official?—The Assistant Commissioner.

26141. Is he present officially or as an elected member?—As a member nominated by Government.

26142. But he is never the Chairman, or practically never the Chairman?—In some districts he is the Chairman, in others not; in my district he is the Chairman of the District Council.

26143. Has he been so long?—Yes, for the last 16 or 17 years.

26144. Elected by the members of the Council?—Yes.

26145. Is there a desire on the part of the people of the district to meet the Deputy Commissioner in a social and friendly manner?—They are always ready to meet him; that is the desire of the educated class.

26146. Do you think the charges are too large; is the district area or tahsil area too great?—In some cases the district area is too great; and in some cases the tahsil area also is too great.

26147. That may be one of the difficulties in the way of intercourse and knowledge of what is passing among the people?—That is one of the difficulties, no doubt.

26148. With regard to the municipalities, is their power wide enough?—I propose that the municipalities might be given power to levy taxes. According to the present system we are simply given some outlines according to which we have to go, and we have to regulate our expenditure accordingly. In 1909-10 we may want Rs. 10,000, and in the succeeding year we may want only Rs. 5,000; we should have power to raise the Rs. 10,000 in the one year and only Rs. 5,000 in the next year.

26149. You wish the Municipal Committee to prepare its own budget; should all control of the Commissioner be removed?—No, not all control, the Commissioner should be allowed to retain control, but to a limited extent.

26150. What should that limit be?—According to the present state of things he is required to exercise large powers of supervision; he has the power of curtailing expenditure on certain heads and increasing expenditure on other heads, that power should be reserved to the municipality.

26151. Then what should be the power of the Commissioner?—The power of control; that is, to see whether the Municipal Committee is doing its work properly—general power of supervision.

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26152. You say that the budget should go to the Commissioner; if he is not allowed to alter any of the details of the budget, for what purpose should it go to him at all?—For record in his office, giving information that a certain Committee is going to spend its income in the year according to such and such details.

26153. But if he has no power of altering the details, what is the good of telling him whether they are going to spend so much or not?—The general controlling powers might be retained by the Commissioner. If the Commissioner thinks that certain work is required to be done and the Committee have neglected it, the Commissioner should have power to order that work to be done.

26154. Suppose the budget represented an expenditure of Rs. 3,000 on education, and the Commissioner thought they ought to spend Rs. 5,000, would you give the Commissioner power to order the Committee to carry out the work?—Any such power must be reserved by the Committee only, because the budget is prepared after proper consideration by all the members who have local knowledge.

26155. You said a moment ago that the Commissioner was to have power to order the Committee to spend the money if he thought they were not carrying out the work?—To that extent, according to the figures in the budget.

26156. Is that any real control?—I should think so.

26157. At the present time the Commissioner can order the municipality to carry out the work; under your scheme he would not have the power to order them to do it?—He would have power to order them to do it.

26158. Only if it was in the budget?—Exactly.

26159. But suppose it was necessary work, and the municipality for some reason decided not to do it; all it would have to do would be to leave it out of the budget?—All I can say is that, if it is a necessary work, the municipality will not leave it out.

26160. It might be thought very necessary, and yet members of the municipality or the majority of them might leave it out of the budget?—Then you can only say that opinions differ.

26161. Then there would be no real control by the Commissioner over work outside the budget, however necessary it might be?—If we are to be guided by the opinion of the Commissioner in that way he will have no control.

26162. Would you give District Boards any further extension of powers?—The powers at present enjoyed by them are sufficient.

26163. You make a proposal for a small Administrative Council; how many members ought there to be?—Nine.

26164. Do you think it would be easy to get from every district nine members in addition to those who are serving on the District Council?—I put down two members to be returned by the District Council.

26165. You think it would be easy to get them to do their work on the Administrative Council as well as their ordinary present work?—At the same time I say that, if you are going to have the Advisory Council for the whole district, then the question whether there ought to be a District Council for the whole district will have to be considered very seriously; because there is no use in having two bodies, the members of which will be practically the same, sitting in one district; one is quite enough. If you are going to have a District Council, you must give them full powers; if you are going to have an Advisory Council, you must put all the Local Boards under that Council.

26166. With regard to these panchayats, the duties of which you set out, ought they to be experimental?—They should be introduced in certain selected tracts of the district, not in all.

26167. Would you agree with the previous witness that they ought to control a group of villages, rather than one particular village?—If one village itself is large enough, then there might be a panchayat there.

26168. What would you put as the size of the village?—Not less than 5,000 population.

26169. (*Sir Frederic Lely.*) Ought the District Councils to have more power than they have at present in the management of the schools?—I think they have sufficient powers.

26170. Or more power in regard to the management of roads, repairs of roads, and so forth?—They already have sufficient powers.

26171. And in the management of dispensaries?—They simply grant a contribution from the District Fund.

26172. Ought they to have more hand in the management of dispensaries?—Yes, they might be given more hand in that.

26173. How far would you go?—It is a department which must be managed by expert opinion only, that is to say, the Civil Surgeons; but the District Council might be associated with the Civil Surgeons in the management of these institutions.

26174. In the form of visiting committees?—Yes.

26175. (*Mr. Dutt.*) Practically the whole of the work which the District Officer now does would have to be done by four officials and five other non-official members of your new Council; is that practicable?—What I meant was that excluding certain works of a purely administrative character, for instance, the employment or suspension or punishment of clerks, other work may be entrusted to the Council.

26176. Still, a large proportion of the work which occupies a great deal of the Deputy Commissioner's time now will have to be done by four officials sitting together with five non-officials; would there not be a great waste of time in respect of all those officers, and would they be able to find time to do it?—If in certain districts it was not found practicable, certain work might be taken off and handed over to the Deputy Commissioner to be discharged by him personally; then the question comes in whether the District Council is necessary. It is not practicable to have two bodies of equal standing in a district.

26177. You say that, if such an administrative body is not formed, then you would consider it expedient to invest District Boards with powers of supervision and control over smaller municipalities. Is it not the fact that the scope of the work which the District Board has to do now is quite different from the scope of the work of the smaller municipalities?—I do not think so; their functions are just about the same; the nature of the work is almost the same. The municipality have to manage cattle-pounds; so has the District Board.

26178. Will not the smaller municipalities raise objection?—I think not, because most of the members will be amongst them.

26179. Do you think that a District Board with the power of raising taxes according to its necessities would be a popular body?—It might be unpopular to some extent.

26180. But in spite of the unpopularity you would invest the District Board with that power?—I have not said that District Boards should have the power of raising taxes; I said that about municipalities.

26181. Do you think that municipalities with the power of raising taxes without the sanction of Government would be popular bodies?—Yes; even now the municipality have to raise taxes; the Government simply prescribes a certain standard above which we cannot go—Re. 1-9-0 per head on such and such an item; we might have the option of making it less than Re. 1-9-0, but we could not go higher.

26182. Would you invest municipalities with power to raise any taxes beyond those mentioned in the Municipal Act?—Not unless there is necessity for large expenditure.

26183. Would you allow them to impose fresh taxation?—There would be no harm in their consulting the Government.

26184. You think the advice of the Government should be taken?—Yes, there is no harm in that.

26185. There are maximum limits which you have fixed with regard to those taxes. Would you empower the municipality to exceed those limits without the sanction of the Government?—Not in all cases; for instance, in certain cases where a municipality has incurred a heavy debt and wanted to pay it off the Government probably would allow that.

26186. Is it your opinion that when a municipality imposes a new tax not included in the schedule, or wants to exceed the maximum limit, it ought to take the advice of the Government before doing so?—Yes.

26187. (*Mr. Hichens.*) With regard to District Boards you think it is not desirable that they should be asked to contribute where they have not the administrative responsibility, as in the case of the Vaccination Department; would it be practicable to give District Boards complete responsibility in regard to the Vaccination Department, and give them the appointment and dismissal of the officers concerned?—If you give them the powers of appointment, dismissal, and suspension, they will have to be guided more or less by the advice of experts, just as in the case of school management.

26188. Have they not the staff to do that?—No.

26189. That being so, would you like to have the vaccination work taken from the District Boards and put under Government again?—The vaccination work is not done by the District Boards; it is paid for by them, but it is done by the Civil Surgeon.

26190. We were told by a previous witness that the District Board has a certain control over the Vaccination Department?—So far as my knowledge goes, they have no control except the payment of the establishment charges.

26191. Cannot they arrange what the fees shall be?—Their advice is taken and they give opinions from time to time.

26192. Cannot they decide?—Yes, they do decide such matters, as proper fees when the Hospital Assistant deals with cases privately.

26193. Would you like the District Board to pay no contribution and to have nothing to do with the Vaccination Department. No, it is one of the departments, and a necessary one, which they should deal with. It should be paid for by the District Board and their opinion should be taken.

26194. We were told by the last witness, that in practice pensions were not paid to the officials of District Boards; is that your experience?—As far as my knowledge goes, pensions are paid, and also gratuities in certain cases and rewards, but in all such cases the sanction of the Local Government has to be obtained, and without that sanction we cannot pay anything.

26195. Is it in your power to recommend to the Local Government that schoolmasters for instance should get a pension?—Yes.

26196. Do you in practice?—Yes, we do, and in my district certain schoolmasters have got pensions, rewards, and gratuities.

26197. Do most of them get pensions?—Not most of them; it is only recently that we have started it.

26198. (*Mr. Meyer.*) You want every tahsil to be under an Assistant Commissioner or an Extra-Assistant Commissioner? Therefore the tahsildar would disappear as such?—Yes.

26199. And the officer in charge of a tahsil would do the tahsildar's work as well as the work of the Sub-Divisional Officer?—Practically, there would be only one man called the Sub-Divisional Officer.

26200. Would it not give him more work? For instance, the tahsildar takes second and third class magisterial cases; if you had one man, he would have to take all magisterial cases from first to third?—It depends on the Government.

26201. Still, as far as magisterial work is concerned, you would have your number of Magistrates reduced?—Yes, at headquarters.

26202. Would not the number of Magistrates throughout the district be reduced?—No; I do not think so.

26203. You have four tahsils in the district; and, say, three sub-divisions; therefore, you have four tahsildars and three Sub-Divisional Officers, that is seven Magistrates; if you only had four Sub-Divisional Officers you would have less Magistrates?—Yes; truly.

26204. You say that the present control and supervision by the Deputy Commissioner over municipalities should be taken away; what is his controlling supervision?—His present control practically amounts to nothing. We have to submit certain proposals for sanction, and they are simply forwarded to the Commissioner. The Deputy Commissioner has practically no control, and if it is taken away it will not matter much.

26205. At present you require the Commissioner to pass your budget, and the matter goes through the Deputy Commissioner who can forward it with remark or without remark; would you have it go straight to the Commissioner without its passing through the Deputy Commissioner?—There is no harm in its going through the Deputy Commissioner.

26206. Who might make his remarks as before, so that practically it makes no difference?—There should be a rule that the Deputy Commissioner should have no power of interfering with any mode of expenditure or administration.

26207. In the case of an emergency, if a municipality does anything irregular, or is in an insanitary state, should he have the power to move?—He ought to keep that power.

26208. You say that your Local Boards deal with too wide an area at present, and that only one Local Board should be established for every 150 or 200 villages; does the existing tahsil include more than 150 or 200 villages?—Yes; in my district there are three Local Boards, one comprising 900 villages, another 600 villages, and another 500 villages, and you can easily imagine whether a Local Board can exercise control over 900 villages.

26209. (*Sir Steyning Edgerley.*) What sort of villages are they?—Some are big and some are small, and the area is very large.

26210. So that your proposal would materially increase the number of Local Boards?—The number of Local Boards, and, of course, I propose the Sub-Divisional Officer in the place of the tahsildar.

26211. Supposing the majority of the members of the Administrative Council which you suggest differed from the Deputy Commissioner, is he to have the power of over-ruling them?—On certain matters; differences of opinion might be referred to the Commissioner and due weight should be given in certain cases to the opinions of the members.

26212. Would you treat your Administrative Council as assessors or as a jury?—I would have a combination of the two; for instance, in certain matters, in which members are supposed to have knowledge, I would take their opinion. Suppose a case of scarcity from famine, in that respect the opinion of the members must prevail, whilst in other matters the opinion of the Deputy Commissioner might prevail.

26213. Would there be schedules practically showing in what matters the Deputy Commissioners should have authority, and in what matters the opinion of the members of the Board should prevail, unless a particular matter was sent up to Government?—Yes.

26214. Do you think 150 villages is small enough for a Local Board area?—I do not think it is small enough.

26215. We have been told that it should be made a patwari circle of 8 or 10 villages?—That is too small.

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26216. If you had a free hand, what size would you make it?—I would like a group of not more than 150 villages, while in certain cases it might be 100 and in others 50, according to the population.

26217. Would it be a good thing to break up your tahsils?—The tahsils would remain the same.

26218. But would it be a good thing to break up the tahsils to that size for executive purposes?—No.

26219. With regard to panchayats, where could you begin with them?—I think we might begin with a district like Wardha.

(*The witness withdrew.*)

Rao Bahadur R. N. MUDHOLKAR was called and examined.

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26220. (*Chairman.*) You are an advocate of the Court of the Judicial Commissioner in Nagpur?—Yes. I was a member of the Berar Municipality for over 18 years, and I was also connected with the Committee appointed for the purpose of framing the rules for the District Boards and municipalities under the District Boards and new Municipal Law, and when they came into force in Berar. There were several occasions when I had to give opinions with regard to administrative matters.

Where there are Governors in Council, the provincial Governments should have, in regard to expenditure from provincial revenues, the same higher powers as have recently been given to the Government of India. To Lieutenant-Governors, who have got Boards of Revenue to advise them, a similar increase of power might be given. But it is questionable whether it would be expedient to do so in the case of the smaller Administrations. The evil of over-centralization can be remedied in the case of the Central Provinces by altering the form of the provincial Government constituting it a Lieutenant-Governorship with the addition, if possible, of Sambalpur and Chota Nagpur, the construction of feeder railway lines, light tramways or provincial irrigation projects. If local bodies like municipalities and District Boards can be empowered to rase loans, and if they do often raise loans, there can be no objection on principle to provincial Governments being given power to borrow, subject to the previous sanction of the Government of India, for in the Madras Presidency the District Boards are by law permitted to borrow money for purposes of a district railway and to impose a cess for repayment of the loan. Loans raised by provincial Governments will have to be guaranteed by the Government of India.

As regards the Central Provinces and Berar, the liberal help which the Victoria Technical Institutes of Nagpur and Amraoti have received and the satisfactory basis on which their constitution has been based, are due to the sympathy and support of the Local Government, the action the Government of India had proposed to take being very unsatisfactory. But speaking generally, in cases concerning the grant of higher rights, privileges and concessions to the people any discretionary power left to the local authorities has oftener been exercised towards curtailing such privileges or minimising the concession than otherwise.

The influence of the departments of both the Government of India and of provincial Governments is in the direction of rigidity and uniformity; they take a too departmental view of things, and they are often too much dominated by considerations of revenue. For instance, in Berar as in the rest of the Deccan the village *patelships* and patwarishipe belong to *watandar* families whose hereditary claims to them have been very properly recognised by the Government ever since the commencement of British rule. The tendency, however, of the modern Secretariats and even officers of the Revenue Department is to put them on a level with removeable and paid servants, and to interfere with their long existing rights. The regulations framed under the University Act and especially the controversy about 15 or 16 being the minimum age for the Matriculation Examination is another instance. When Berar was joined to the Central Provinces the proposal was made that the standards, text-books and curricula in the schools of Berar should be the same as those in the Central Provinces. It was after some efforts that the Berar standards and curricula, which, especially in the vernacular schools, were higher than the corresponding ones in the Central Provinces, and the Marathi text-books, which were in every respect superior, were allowed to be kept. In the desire to secure uniformity standards have now been drawn up which have lowered efficiency and Marathi books have been prepared, the style of which is inferior and the grammar at times questionable. As to the predominance of the standpoint of revenue the administration of the Forest and Excise Laws affords numerous instances. The contraction of the grazing area in Berar, their disforesting, the abolition of the old district forest system, the increased rigour of the forest administration are greatly felt by the people.

The right of appeal, whether it is in regard to administrative action or orders personally affecting officers of Government, is a most valuable check on ill-considered or hasty measures and decisions based on *ex-parte* statements. Neither in regard to appeals to the Government of India or the Local Governments should there be any curtailment of the existing right.

The officers of the Revenue Department have not sufficient opportunities for personal contact with the people. Of course they have far more occasions than officers of the Judicial, the Educational and other Departments have, and in the majority of cases those occasions are fairly availed of, though there are even among Executive Officials men who by temperament and habit find a difficulty in mixing freely with strangers. The present generation of Executive Officers do not move among the people to the same extent that the old type of Anglo-Indian officials did. The main difficulties in the way of greater contact with the people are (*a*) judicial duties, (*b*) heavy correspondence and writing work, (*c*) municipal, District Board and other miscellaneous work, and (*d*) race aloofness. The increasing burden of correspondence and writing work is generally admitted, and the District Officer should cease to be a member of Municipal and Local Boards, his powers of control being exercised from without and not from within.

I do not think that the language difficulty, great though it is, is the real barrier. The thing really wanted is sympathy and an appreciation of the situation which has arisen by the working of the principles of Western civilisation, the influence of Western science and Eastern thought and the progress of education. The influence of racial distinctions, caste considerations and divergencies in social manners, habits and customs in interposing barriers between the European officers and the Indian gentry and commonalty can be more easily pointed out than checked. No suggestions can be made in regard to the religious difficulties. But as they do not prevent free social intercourse between Hindus and Muhammadans there is no reason why they should come in the way of a more frequent mixing of the European and Indian communities. The aloofness of Indians is in the majority of cases due to shyness.

The powers given to District Boards and municipalities in Berar are sufficiently comprehensive to give them a large field of usefulness. The rules, however, framed by the Local Government have considerably curtailed that power, and these bodies do not enjoy the measure of independence which is allowed to them by the laws themselves. A few instances deserve to be quoted for showing how little free scope is often left to local bodies and how much interference there is from provincial departments:—

(1) When the Municipal Law of 1886 came into actual operation in Berar and elective municipalities were formed, each Municipal Committee framed rules of management to suit its peculiar circumstances.

The system was working fairly. After a time, however, the Local Government considered that there should be uniformity in the rules of the various municipalities, and accordingly they were all asked to adopt certain rules framed, it would seem, in the Berar Secretariat at Hyderabad.

(2) Under the terms of the law a Municipal Committee would seem to be free to execute its Public Works through such agency as it might consider suitable. Under the rules framed by the Local Government, however, works, the costs of which exceed a certain amount, must be approved by the Public Works Department and works above a certain value have to be carried out by the agency of the Public Works Department. A large commission is charged by that department for the help given by it.

(3) Even in such matters as the maintenance, at a cost of a few hundreds of rupees annually, of a public garden which had been in existence for years, peremptory orders are issued which the Committees are enjoined to obey. They are told to get their printing done through this or that press, and when they point out that they are getting the work done locally in a better style and at cheaper rates, their representations are resented.

(4) The complaint is often made, and with justice, that they are mere disbursers of bills for expenses which they are not allowed to question or control. The large amount which the Amraoti municipality was called upon to pay towards an infructuous "city survey" entrusted to the Public Works Department is a fair sample of such cases.

What is necessary to be done is that the freest scope should be allowed to municipalities and District Boards, that there should be as little direct interference of Government departments and Government officers as possible, that the District Officers should as a rule not be on these Committees and Boards as members, but should exercise their supervision and control from without. It might be that now and then these bodies might commit mistakes. But so long as they work regularly, honestly, and zealously and the funds entrusted to them are really applied to public purposes, they should not be interfered with. If village unions or local sub-committees for special purposes are formed, there is little reason to fear that even in rural areas such works as are usually carried out through District Board funds, such as the construction and repair of ordinary district roads, village schools, *chavadies*, sarais, pounds, &c., will not be as well and as economically done as at present.

The District Boards should be entrusted with the function of the employment and control of the village police, *i.e.*, the *jaglia* force; and both the municipalities and the District Boards should be given control over the disposal of the public sites within the areas of municipal towns and villages. Before these bodies, however, can do substantial good to the areas entrusted to their charge the funds at their disposal will have to be largely increased. As in England and in other European countries, large subventions should be given to local bodies from the imperial and provincial revenues.

Sub-Divisional or Local Boards, like the *taluka* Boards existing in Berar, perform little actual work at present. With *talukas* consisting of 300 or 400 villages interspersed over a wide area much cannot be expected to be done by one non-official body in the way of executive work. The only feasible way of enlisting the effective assistance of the public-spirited amongst the people in the discharge of such work is to have small committees consisting of a half-dozen reliable men selected by the District Boards for an area with a radius of not more than four miles, to whom should be entrusted the execution of Public Works and the maintenance of sanitation within that area.

The chief thing to which the attention of both the Government and the people should be directed is the revival of the village union. The old class of village unions cannot be revived, but there should be in each village a body selected entirely by the people to whom their local affairs might be entrusted. The experiment should be tried in one or two of the advanced districts, in villages having a population of over one thousand and not forming part of a municipality. All people paying Rs. 20 and above as land revenue or owning a house of the value of Rs. 200 should elect twenty-five people to form a general committee for the village. Their assistance should be taken in the organisation of rural co-operative credit, the distribution and collection of takavi advances, the granting of famine relief, and in times of famine or great scarcity for finding out who are the deserving objects of the suspension or remission of the land revenue. A village tribunal should be created for the trial of all simple money suits of the value of Rs. 50 or under or for the recovery of rent or mesne profits of like amount. The parties living within the jurisdiction of the village union should be under an obligation to bring his cause before this tribunal which should consist of two persons selected by the plaintiff and two persons by the defendant out of the twenty-five members constituting the village representatives or elders. There should be exemption from court-fees and parties and witnesses must be bound to obey the process of the tribunal. Petty criminal cases about slight hurt, assault, abuse, &c., should be triable by them and they should be invested with power of inflicting a sentence of fine not exceeding Rs. 10.

It would be distinctly an advantage both to the Government and to the people to have Advisory Councils to assist both District and Divisional Officers, or at any rate to have District Advisory Councils. A District Advisory Council should consist of twelve members including the District Officer, six of whom should be *ex-officio* and nominated, and six elected thus: two by the non-official members of the District Board, two by the non-official members of the municipalities, one by landowners paying Rs. 200 and above as land revenue in raiyatwari tracts or Rs. 1,000 in zamindari tracts or holding rent-free land yielding an annual income of Rs. 2,000, and one by persons paying income-tax on an income of Rs. 2,000 a year. Every question of importance relating to administrative measures or contemplated legislative action should come before this Council, such as land revenue; surveys and settlements, or revision of the same; organisation of famine relief; suspension or remission of revenue in times of failure of harvests; the general wants of the district; promotion of good feeling and harmony between the different communities and sections in the district, especially in times of excitement; improvement of agriculture, industry and trade; promotion of education, health and sanitation; the protection of life and property and preservation of peace and order. The Council should meet ordinarily once every quarter, and the opinion of the majority should carry weight, though the District Officer may, disagreeing with them, pass orders otherwise.

It would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts.

For giving full effect to the policy of the decentralization in regard to financial and administrative matters the present system will have to be materially altered. The process of centralizing all authority in the Governor-General which came into marked prominence from the Government of India Act of 1833 will have to be revised. While reserving to that authority all power in regard to peace and war, the making of treaties, questions affecting the foreign relations, the military and naval defences of the country, the public debt, the relations with the Feudatory Princes, matters of policy and principle, of general application to the whole country, control over such Imperial Departments as Railways, Telegraphs, Post Office, &c., and general power of supervision and the power of direction and control in cases of emergency, the provincial Governments should have a free hand in

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all matters pertaining to the internal administration and domestic concerns of the province, subject to the limitations laid down by 13 George III., c. 63, Ss. 9, 3 and 4 Will. IV., c. 85, S. 39. But before the provincial Governments can be invested with these larger powers they should be raised to the same position as the Governments of the Presidencies of Madras and Bombay in the first quarter of the last century. The whole of India Proper should be divided into five presidencies, at the head of which should be a Governor and Council.

26221. You think that Local Governments could raise loans, but that they would have to be guaranteed by the Government of India. Would that be a sound proposal?—I do not see that there would be any difficulty about it.

26222. What might be the position of the Government of India if they had to guarantee somebody else's loans?—The Government of India would only be delegating a portion of its power, practically, to the Local Government, and the Local Government in that way would be, as it were, a part of the Government of India kept aside for certain administrative purposes.

26223. Is it your view that these local loans could only be raised if they were guaranteed by the Government of India?—There would be difficulty otherwise in securing money on equally favourable terms.

26224. With regard to municipalities or District Councils is there anything you wish to add to the evidence which has been given here to-day?—No; I have nothing to add to what I have already said.

26225. Are you in agreement with the last witness, who said that he thought if an officer, being dismissed, had one clear appeal above the decision of the officer who dismissed him, that would be satisfactory?—No, I am not, because I can give instances where justice has been done by the Local Government where the District Officer and the Commissioner did not give a man the justice which he thought was due to him, and there can be cases quoted where it has been only on the second appeal that justice was obtained.

26226. Or at all events, what was thought to be justice?—Of course the view of the ultimate Court of Appeal must prevail.

26227. Are racial distinctions and caste considerations and manners and customs and so forth an insuperable bar to greater intercourse between officials and the general public?—I think they can be bridged over.

26228. Do you find they are more noticeable when an officer first comes out to this country, or later on?—I can lay down no rule with regard to that, because fortunately it has been my experience to be brought into contact generally with officers who have been very liberal in their sentiments. I have heard of cases where there has been more than a disinclination to mix with Indians, but there have been few cases in the province in which it has been my lot to live, and I have never met with any difficulties.

26229. How do you think that the funds of the District Boards ought to increased, by taxation or by an increased contribution from Government?—So far as increased taxation is concerned, municipalities in Berar have not shown any disinclination to increased taxation whenever it is demanded in the interests of education, sanitaion, or Public Works, but the difficulty is the smallness of the area and the general condition of the people in consequence of certain items of revenue which they have been deprived of and which they had been enjoying for a number of years. They used to get the land revenue, and the proceeds from the sale or lease of sites within their limits, but in 1896 it was decided by Government that all the lands would be taken up by them, and the municipalities were only given a ten years' enjoyment of the rental; from 1906 that also has been discontinued. That was a source of revenue which they formerly enjoyed and which might well be given back to them. Similarly with regard to sites in villages, the District Boards might be permitted to take the revenue from them.

26230. Are you speaking now of Berar?—Yes, I am only speaking of Berar.

26231. Do you think the restoration of those two sources of income would meet your difficulty?—No, for instance the Local Boards in England get a portion of the probate and excise duties, and a proportion of other sources which, in this country, form part either of the imperial or the provincial revenue.

26232. Would the people in this country like the taxes which we pay in England imposed for the purpose of providing local authorities with greater revenues?—I suppose we have many of the taxes already existing in England.

26233. (*Sir Steyning Edgerley.*) You think that if there is to be a considerable delegation of power between the Government of India and the Local Government it would be a matter of some importance what the constitution of the Local Government is. Is your preference for a Council Government?—Yes, my preference is for a Council Government, and next to that a Lieutenant-Governor with a Council.

26234. Would you be more prepared for delegation if that constitution were adopted in your own province?—Yes.

26235. It would be more expensive?—Yes, no reform can be obtained without expense.

26236. With regard to borrowing it has been suggested elsewhere that the same result as you suggest might perhaps be secured by the Local Government guaranteeing interest; for instance with regard to the feeder railways mentioned; could they be financed on that basis by private capital?—Speaking with regard to my own province, the people are not prepared to subscribe to them on their own responsibility.

26237. Would not a Government guarantee be sufficient to get the works through?—No, not locally.

26238. Briefly you think that municipalities and District Boards ought to be given full statutory powers, and District Officers ought to help and aid from outside without being members?—Yes, I think so.

26239. As regards Local Boards, are you inclined to abolish them?—No, I do not think so.

26240. Then what do you mean by saying that for Local Boards you would substitute panchayats?—I mean that Sub-Divisional or Local Boards, as they are called, are according to law the agents of the District Board, and they are supposed to carry out the works and other things sanctioned by the District Board, but the work has to be carried out over an area covering 300 or 400 villages, and practically it is done by the tahsildar, or if it is in regard to Public Works, by the overseer; the members of the Boards themselves take very little part in any of the active work.

26241. What is your remedy?—My remedy is to have sub-committees of the existing Local Board in charge of small areas.

26242. Would you say that attention ought to be given to the revival of village unions, and above them there should be Local Boards?—I would only have village unions for those villages which have a sufficiently large population; then they would practically be the agents of the District Board for those villages; for the villages which have smaller populations I would have sub-committees.

26243. You would not try and spread the unions all over the district?—Not now. Of course the experiment has to be tried and it can only be judged of after 10 or 15 years.

26244. If you could get a scheme of small village unions they would gradually take the place of your sub-committees?—Probably, after 15 years they might.

26245. (*Mr. Meyer.*) You think that the chief thing to which the attention of Government and the people should be directed?—It is one of the chief things.

26246. Do you know the Central Provinces well or only Berar?—I have only seen some portions of the Central Provinces very occasionally.

26247. In Berar does the Sub-Divisional Officer live in his own sub-division?—Not always, but he does in some places.

26248. Which do you think the better system—that he should live entirely in his own sub-division or that he should live at district headquarters?—I should prefer the Sub-Divisional Officer to live in his sub-division.

26249. Would you like the powers of Deputy Commissioners and Sub-Divisional Officers and tahsildars increased in regard to revenue matters?—Their present powers are sufficiently wide.

26250. Are not the Berar land laws rather restrictive; do they not require a number of things to come up to the Commissioner?—They only come up to the Commissioner in regard to appeals, and in regard to appeals I would not have the right curtailed.

26251. You have made several references to Bombay—are you a Bombay man?—My family comes from Bombay, and I received my education in Bombay and am in considerable touch with it.

26252. Has the Deputy Commissioner in Berar as much power as a Collector in Bombay?—Under the Berar Land Revenue Code the powers are almost the same—our Land Revenue Code is taken almost word for word from the Bombay Code.

26253. Does an appeal from a Sub-Divisional Officer go to the Deputy Commissioner or to the Commissioner?—It goes to the Deputy Commissioner.

26254. With regard to borrowing powers, you are aware that the great difficulty in India at present is to get enough money for productive works. If Local Governments start independent borrowing, would not the market of the Government of India be affected, and they be able to raise less money?—There is a portion of the capital of the country which is very chary of venturing into doubtful or experimental undertakings, and that is the savings of Government Officers or even of the professional classes who are not willing to go into commerce or trade but who would be content with obtaining a fair rate of interest for their money; if undertakings were guaranteed they would probably be taken up by many of these persons.

26255. It is open to anybody now to subscribe to the Government of India loans which come out once a year?—It is necessary to give Local Governments this power in order that provincial works may receive that attention which they deserve, and the money for them should as far as possible be raised locally.

26256. Would not that affect the Government of India loans?—I do not think so.

26257. Will it tap fresh capital?—To some extent.

26258. If it did encroach on the Government of India capital, would it not mean that railways and other works were being delayed on account of the construction of local works of a less productive character?—I should think the works I have mentioned would be of a more productive character than the works which have been carried out.

26259. Is there not always an enthusiasm in a locality in favour of a particular work, and a tendency to take rosy views with regard to it?—I cannot know exactly what the official opinion on the matter is.

26260. Generally are you of opinion that on the whole the Government of India is more progressive, and enlightened, shall we say, than Local Governments?—They are more desirous to make concessions.

26261. And in some cases when the Government of India has desired to advance, the Government of Bombay and other Governments have stood in the way?—I have stated the fact.

26262. Coming to your province, you instance Berar and say that there was an attempt to force Central Provinces hand-books in Berar, but is that the case any longer?—It has been done again.

26263. But, as a Berar man, do you think the effect of administrative amalgamation of Berar and the Central Provinces is to force the Central Provinces standards upon Berar?—I do not say it is so in every respect, but there is that tendency, and it has to be fought against very strongly.

26264. You say that the Collector or Deputy Commissioner should absolutely cease to be a member of municipalities, local bodies and District Boards. Do not those bodies deal with matters which it is most important for him to be acquainted with, such as education, the sanitation of his district, and so on?—That he can learn; he can find out whether they are doing the work properly or not, and there are means by which he can keep them straight from outside.

26265. Would it not be easier and better for him to be inside the Council?—I prefer him to be outside, because it is necessary for the political and general education of the people and for the work also being carried out with greater zest.

26266. You think they would be more zealous if the Deputy Commissioner was away?—I mean to say that otherwise it becomes too officialised.

26267. Might it not be said on the other hand that the Deputy Commissioner would become de-officialised by taking into account the feelings of the people whom he meets?—With regard to that it was intended that these local bodies were to be established for the purpose of political education.

26268. Do you intend that the municipal budgets and Local Boards budgets should come up for approval as at present?—For criticism, and of course if they are going wrong and there is any dereliction of duty and they are doing things they ought not to do, then the Deputy Commissioner could exercise his powers of control.

26269. Are you generally satisfied with the existing powers of control?—The powers of control are sufficiently wide, speaking of Berar.

26270. It is not the law you complain of so much as instances in which the rules have been worked?—And the rules themselves.

26271. In such matters as the raising of taxes or finances generally, do the local bodies require more outside control?—The local bodies were inclined to have a mode of taxation at first which was suitable to them and there has been considerable friction with regard to that. My opinion goes with the local bodies, and that they were prepared to tax themselves in a manner which they considered most suitable for themselves.

26272. You think it is necessary, if you have self-government and lay down a tax, that they should have a fairly free hand in dealing with it? Yes.

26273. You say that provincial Governments should have a free hand in all matters appertaining to the domestic concerns of a province according to section 39 of the Regulating Act of 1773—that is to say they are to obey the orders of the Governor-General?—Yes.

26274. So that it is only a question of degree as to the extent to which the Governor-General in Council should issue instructions which the Local Government must obey?—It was a general power of supervision and control which does not mean going into small details entirely taking away the powers of the provincial Government.

26275. Speaking generally, you would like provincial Governments to have a freer hand in matters of detail, but the general policy should be laid down by the Government of India, as at present?—Yes.

26276. (*Mr. Dutt.*) You refer to the grant of larger legislative powers to the provincial Governments—do you recommend that?—I mean that with regard to questions of general principles and policy, the Government of India and the Government in England lay down the general policy; in regard to matters of detail, in regard to financial

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control, larger power should be given to the provincial Governments, provided that they are raised up to the status which I have suggested.

26277. Until then you would not grant them larger powers than they at present possess?—In my own province it would not be expedient, but it would be different with regard to Madras and Bombay.

26278. Then you say that Local Governments have very often restricted or minimised the legal powers of local bodies; how do you reconcile that with the recommendation for the grant of larger powers?—I refer to larger powers in regard to matters of monopolies on questions of principle and policy.

26279. Has there been a contraction of the grazing area in Berar?—Yes.

26280. What do you ascribe that to?—I rather ascribe it to the zeal of the Forest Department.

26281. Is it not partly due to the extension of cultivation?—First of all the land had to be disafforested, then it was thrown open to cultivation, but the disafforestation had to be done under the orders of the Local Government.

26282. So that practically it is not due to any direct action of the Forest Department, or their including agricultural land in forests?—It was because it ceased to be grazing land and was thrown open to cultivation, and therefore it was taken under cultivation.

26283. And you think it should have been kept as forest land?—Yes.

26284. What kind of question would you refer to the Advisory Councils for their opinion and advice?—Every question of importance relating to administrative measures should come before them, such as land revenue, surveys and settlements.

26285. That is to say only large questions would go to the Advisory Councils and not small details of administration?—Quite so.

26286. Would it be one of the functions of the Advisory Council to settle disputes between different communities and different creeds?—Yes, to exercise their influence.

(*The witness withdrew.*)

Dr. H. S. GOUR was called and examined.

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26287. (*Chairman.*) You are a barrister-at-law at Raipur?—Yes. I was Secretary of the District Council for 8 years.

On the right of appeal I am of opinion that there should be no curtailment; on the other hand, the present system of appeal is one which might be greatly improved. If pleaders are given audience in appeals submitted by them, they will give greater satisfaction to the appellants, and inspire more confidence in the judgments of the Executive.

As regards the right of officers of Government to appeal against orders affecting them personally, some curtailment is necessary. The present practice appears to be to first appeal as far as an appeal will go, and then to memorialise as far as memorials are permitted. This practice is as subversive of discipline as it tends to increase the work of Government. Inquiry into the conduct of Government servants should be made carefully in the first instance giving the officer affected the right of defending himself by pleader, the procedure being otherwise made as far as conformable to judicial procedure. Then there should be only one appeal to the higher officer—the Local Government, the Government of India being, of course, given the right of revision and pardon.

The appointment of an officer to the responsible post of a Commissioner should never be made on the ground of seniority. It should be an invariable reward for merit. It will greatly improve the rank and file and add a fresh incentive to good work. Assuming then that Commissioners and Deputy Commissioners are in future appointed by selection and not promotion by mere seniority, there is everything to be gained by granting them extended powers.

If a Financial Commissioner is appointed, I should be in favour of transferring to him all the revenue powers at present possessed by the Chief Commissioner. I am not in favour of transferring the power of final decision to Commissioners and Deputy Commissioners except in matters of detail. All the important powers must remain with the Chief Commissioner, or the Finance Commissioner. As a matter of fact, in matters relating to revenue, I think the powers are now equitably apportioned between the several officers. Sub-Divisional Officers might, however, be given some additional powers; for instance, to sanction sales of excise and ganja monopolies and assess and remit income-tax. The Deputy Commissioners in these provinces possess powers, some of which are defined while others are undefinable, and they wield powers the extension of which would not be desirable. But as regards the Commissioners, their responsibility and duties might be advantageously defined. There are no Commissioners in the Madras Presidency, but I do not suppose Madras is a more benighted province than the Central Provinces. They should be entrusted with considerable powers which they should be left to exercise with the assistance of their Administrative Councils. But without such Councils, it will be a mistake to enlarge their powers.

The formation of Administrative Councils is a *sine qua non* of efficient administration. But they should be formed in a generous spirit of giving the educated representatives of the people a living voice in their deliberations. Such Councils might consist of five elected representatives of the division, the electorate consisting of all literate persons above the age of majority. I am not in favour of class representation, for it leads to mutual jealousy, and is otherwise opposed to the spirit of modern India. Their powers would be to sanction and allocate (1) expenditure on local works within the limits of the division; (2) to sanction the suspension and remission of revenue; (3) to control the police; (4) to regulate expenditure on Public Works, irrigation, sanitation, and other departments of Governments; (5) to supervise the work of District Councils and municipalities; (6) to visit jails and hospitals and to see to their proper administration. If Administrative Councils are constituted on these lines and *if provision is made only for the election of educated representatives* by only a literate electorate, there should be a change in the administration of the country which will immediaately give *a quietus* to clamorous discontent. The Commissioner in Council may then be safely given powers of general administration which will lead to the smooth working of Government and effectually carry out the policy of decentralization.

In matters relating to the Court of Wards the powers which the Deputy Commissioners possessed under the old Act have since the passing of the new Act been bodily transferred to the Commissioner and the Deputy Commissioner as such has ceased to possess any power at all. The Deputy Commissioner is really the man on the spot, and he should not be a mere reporting and recording machine. As it is, the Deputy Commissioner is really the power behind the Commissioner. The former proposes and the latter sanctions as a matter of course. The Deputy Commissioners should be entrusted with all the powers they at present possess by delegation. They may be further empowered to appoint guardians, pass orders as to the custody, education and residence of Government wards, to let a ward's property up to a certain extent, while the Commissioner in Council might be empowered to mortgage, sell or exchange the property of his ward, sanction adoption and decide on questions of succession. The Commissioner in Council may be empowered to incur an expenditure up to Rs. 5,000, the Deputy Commissioner being empowered to incur an expenditure up to say Rs. 2,000. He

may also be permitted to take a loan up to a like amount.

Executive Officers do not possess sufficient opportunities for personal contact with the people. They regard themselves rulers of the people and of the ruling race, and consider it beneath their dignity to associate with the people or even know them outside their official duties. The difference in their habits and manner of living and their mode of thought also contributes to the gulf that exists between the European Executive Officers and the people. And this aloofness has grown rather than decreased in recent times. The case of Indian Executive Officers and the people is different, for they live and move amongst the people who trust and look up to them.

The invidious distinctions that the Government itself makes between a European and an Indian encourages its subalterns to think that there is somehow an irradicable difference between the two races. I have myself seen a European cooly-catcher placed on a *dais* with the Chief Commissioner in an official darbar, while that honour was refused to an Indian Executive Engineer in charge of a division and a Barrister who had been presented to the King. If the officials break the ice, they will meet with encouraging response from the people. Their leaders might, for instance, be at times invited over to "At Homes" or other informal meetings. Visits might be exchanged with them and they might be invited to join the station gymkhana and the club. While camping out, officials might convene informal meetings of the leading residents and thus take them into their confidence. European officials might also be enjoined to make themselves more conversant with the language of the people. I do not think that officials, as a rule, possess sufficient knowledge of the colloquial vernacular.

Assuming that a right man has been found for a right place there is no reason why he should be transferred, unless, of course, his transfer becomes for other weightier reasons a matter of absolute necessity. I would lay down no hard-and-fast rule, but leave the matter to the discretion of the Administrative Council whose members might confidentially advise the Government on the subject.

I was for eight years Secretary of the Raipur District Council, and I know what it is to organise, work on, and control a local body. These bodies are at present mere automata moved by a few wire-pullers who manage to get nominated or elected to them. The rules of election are such that few educated men care to compete for membership, and men are elected, who by their education, experience and temperament are unfit to discharge the civil duties to which they are elected. If therefore municipalities and District Councils are to obtain extended powers, they must be reorganised and reconstituted on a different basis. The eligibility of the electorate based on the property test is, in a country like India, unsound. I would therefore make education the sole test.

District Councils possess at present practically very little power. Their duty is confined to recording proceedings, and passing bills which they cannot refuse. Most of the important roads in their charge have been transferred to the Public Works Department. Dâk bungalows, rest houses and important ferries have also been exempted from their jurisdiction by an order of the Chief Commissioner. I would suggest that all Public Works, roads and buildings, water-works and reservoirs, agricultural schools and farms be placed under their management. They should also possess power to revise income-tax, recommend the suspension and remission of Government revenue, and be in short subordinate to the Divisional Administrative Councils to whom they should be responsible and whose functions so far as regards matters affecting the district they must in part discharge. The municipal bodies should be similarly strengthened and the municipalities of large towns should possess power to borrow money for works of public utility. They should be empowered to construct railways and tramways, and their powers should, as far as possible, conform to the powers possessed by the English municipalities and County Councils.

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26288. You say that some curtailment of the right of appeal is necessary, and you would give a man one appeal after the original decision of a higher officer. Do you think that would meet the justice of the case?—I think that is quite ample, leaving of course the superior authority to exercise the power of revision.

26289. With regard to the Administrative Council which you suggest you also think that the responsibilities and duties of Commissioners might be advantageously defined; but would there be anything left either for the local bodies or for the Commissioners to do supposing the Administrative Councils you propose were brought into existence?—I think so; the Administrative Councils would be the supervising bodies; they would not be the Executive Heads of the districts; the District Boards would be the executive bodies to carry out the orders of the Administrative Council and the Commissioner.

26290. Would they be merely advisory to the Commissioner?—Yes.

26291. Could the Commissioner if he thought fit overrule them?—He could overrule them and report the matter to the Chief Commissioner or the Local Government, and it would be for the Local Government either to confirm his order or to pass any order they thought fit.

26292. You lay some stress on the chasm which separates officials from the people; is that due to a disinclination on either side to be good friends?—In recent years there has grown up a disinclination on both sides.

26293. Are the difficulties removable?—I think they are.

26294. Are some of them due to ignorance of native etiquette and customs on the part of newly-arrived officers?—It may be so in the case of certain officers, but I do not think that is the sole reason.

26295. What do you think is the reason?—Racial prejudice.

26296. On both sides?—No; I do not think it is due to racial prejudice on the side of the natives; they would rather meet Europeans and associate with them if they could.

26297. Would you confirm the evidence that very often native officers are just as difficult to get at as European officers?—That is true in certain cases, and the reasons are that native officials seem to copy the example of their European brethren; they are afraid if they mix a little too freely with the natives that their superior European officers might suspect them.

26298. Is there any ground for that?—No, there is no ground for it.

26299. Having been Secretary to the Raipur District Council for some time, and having heard the evidence, do you wish to add to it?—No.

26300. How long do you think a District Officer ought to stay in his district or division as the case may be?—That depends on who the officer is. Other things being equal, about 5 years, not less.

26301. And probably not much longer?—I do not think so, because he will then probably imbibe local prejudices.

26302. (*Mr. Hichens.*) You say the Central Provinces are one of the few Non-Regulation Governments remaining; where in particular do you think the shoe pinches in regard to the lack of powers?—Everywhere. In the first place, being a Non-Regulation Government, the people have no voice in the administration which they would have if they had a Regulation Government, and consequently a Legislative Council.

26303. Is that the most important point?—I will not call it the most important, but it is important. Then I regard the administration of justice as very important. We are far behind the Regulation provinces in that respect, because we have no High Court. Then of course with regard to the publication of budgets, we know nothing at all as to what the Chief Commissioner does; not only are we not consulted, but we know absolutely nothing as to how the revenue is spent.

26304. But the budget is published?—Yes, long after the thing is done.

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26305. Is there no explanation with regard to it?—No.

26306. Therefore you think it is very difficult for people to take an intelligent interest in what is going on?—Yes, and they really do not know in fact if, and when, the budget is published; when it is published, it is only as a piece of historical information.

26307. (*Mr. Dutt.*) You say that District Boards possess practically very little power; I suppose you have heard other witnesses say that Public Works amounting to over Rs. 1,500 have to be executed by the Public Works Department, and works under Rs. 1,500 have to be executed by the tahsildars. Do you suggest any method for the District Board doing their own Public Works themselves?—I would place all Public Works in charge of the District Council, and if the District Council is a paying concern, I would appoint a District Council Engineer to look after the work, but if that would be too costly I would make a Divisional Engineer to look after groups of District Councils.

26308. It has been stated that such a scheme is about to be brought into practice; have you heard of that?—I should welcome it.

26309. Is primary education paid for by the District Council?—Yes.

26310. Is it managed or supervised by the District Council?—No, not to any appreciable extent. There is really double control. We have in the first place the deputy inspector of schools who looks after the District Council schools, and we have also a deputy inspector who is not under the District Council at all, but who is directly responsible to the inspector of schools; consequently the District Council have a voice in regard to primary schools, but at the same time the inspector and deputy inspector of schools exercise their powers. I would place the deputy inspector of schools directly under the District Councils.

26311. Would one deputy inspector be able to supervise all the primary schools in a district?—No; there are two or three at present; we have three deputy inspectors of schools now.

26312. Would you allow the Education Department to have some sort of supervision over your primary schools?—Yes; I would allow the Education Department to lay down the policy, and leave the District Councils to carry it out.

26313. Have most District Councils Secretaries?—Yes. They are elected by the District Councils and appointed by the Divisional Commissioners.

26314. Do you approve of that system?—No; I would like the District Councils to appoint their own Secretaries.

26315. Would you extend the same rule to municipalities?—Certainly; I should say municipalities ought to be trusted to appoint their own Secretaries.

26316. At present do they appoint their own Secretaries as a rule?—They do appoint them, but they appoint more or less nominees of the officials.

26317. At any rate they have the power to appoint?—If the Secretary is an honorary Secretary I believe they appoint him.

26318. (*Sir Steyning Edgerley.*) With regard to the possibility of decentralization to the Head of a province, what form of Government would you prefer for a provincial Government?—I should prefer a Lieutenant-Governorship with a Chief Court.

26319. Do you think the powers of the Court of Wards ought to go back to the Deputy Commissioner?—More or less they should be apportioned between the Deputy Commissioner and the Commissioner.

26320. Would some Deputy Commissioners have fuller powers than others?—By delegation.

26321. Have you thought how delegation should be carried out?—That depends upon what powers are delegated; some powers may be delegated without recall; others may be delegated subject to control; while a third class of powers may be delegated and withdrawn from time to time as the case may be.

26322. Would you like a general Act which would enable you to give powers and to recall them on notice and so on?—Yes.

26323. (*Mr. Meyer.*) In that general Act, would you specify the powers in respect of which the Act was framed, or would you give entire power to the Government of India or the Local Government, as the case might be, to make any delegation as it thought fit?—I would give general powers to Local Governments to frame bye-laws under a general Act.

26324. Do you mean that if an Act has said that in certain cases the sanction of the Local Government is necessary, but the Local Government now thinks that the sanction of the Commissioner is sufficient, it should be able to say "In this section, for Local Government read Commissioner"?—No, I should say where the Local Government said a thing should be done by the Chief Commissioner, the Chief Commissioner should have no power to delegate his powers to the Commissioner, but where the Government of India said it should be done by the Chief Commissioner or some one empowered on his behalf, in that case the power of delegation should be exercised.

26325. That is already provided for?—No doubt, but my objection is that at present the Commissioner is all in all in regard to Court of Wards matters. Now the Commissioner is not the man on the spot; the Deputy Commissioner is the man who is directly responsible for the administration of the Court of Wards, therefore he should have some immediate controlling power on his own responsibility, and not by delegation from the Commissioner.

26326. Supposing there are important measures of decentralization desirable, you are tied up very often by the fact that certain laws prescribe the previous approval of the Governor-General in Council and others require the approval of the Chief Commissioner, and my question is, if you desire to relax these laws would you do it by a mere general Act, saying that wherever the approval of the Governor-General in Council was required it might be dispensed with?—No, I would amend all the Acts specifically.

26327. You say it is the deliberate wish of the people that this province should be raised to the status of a Lieutenant-Governorship—what advantage do you anticipate from that?—First, the establishment of a Legislative Council.

26328. Would you recommend a Board of Revenue?—A Board of Revenue or a Financial Commissioner, and the elevation of the local Courts to a Chief Court, if not a High Court.

26329. You say, as regards appeals from officers of Government, that there should be only one appeal, and that the Government of India should only come in in respect of revision—there are officers, however, whom the Local Government punishes in the first instance?—Yes.

26330. In that case would you leave an appeal to the Government of India?—Yes, certainly; I would give one appeal in any case—I mean that there should be no second appeal to the Government of India.

26331. You say Sub-Divisional Officers should be empowered to sanction sales of excise shops and so on, but do they not do that already?—No, not that I am aware of.

26332. It has been stated that in many cases when a Sub-Divisional Officer has passed an order, the appeal lies not to the Deputy Commissioner but to the Commissioner?—I think the appeal to the Deputy Commissioner ought to be the thing; he is the responsible Head of the district.

26333. In many cases under the present system there are appeals to the Chief Commissioner on really quite trivial matters, which you would like to get rid of?—Yes.

26334. As regards the powers you propose for Commissioners, would you include the posting of

officers such as Assistant Commissioners and Extra-Assistant Commissioners within their divisions?—No, I would not.

26335. Would you empower a Commissioner to transfer tahsildars and naib-tahsildars?—I think not.

26336. Would you give him powers of appointing them?—I would not.

26337. Would you give him powers, subject to conditions of fitness laid down by the Local Government, and in consultation with the District Judge, to confer magisterial powers on officers?—Yes.

26338. And such special powers as the Criminal Procedure Code gives of taking down evidence in English and so forth?—Yes.

26339. Speaking of the Court of Wards, you say that Deputy Commissioners should be entrusted with all the powers they at present possess by delegation; do you mean the powers they practically possess, but do not formally possess?—Yes.

26340. You consider that District Councils are moved by wire-pullers. Are Local Boards also?—I have no experience of Local Boards.

26341. It was suggested by one witness that there should be a system of village panchayat circles all over the country; that there should be seven or eight villages in a circle with a panchayat, elected by the tenants and persons possessed of some means, and having considerable powers in the matter of deciding small civil and criminal cases and carrying out sanitation works. Would there be wire-pulling over those elections?—There might be.

26342. Would you be in favour of such a system?—I would be in favour of the system as a tentative measure.

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26343. Within a single village or a group of villages?—I would first of all experiment with a few villages and see how the thing worked.

26344. Would you make one village a single entity or would you group four or five together?—I would group four or five together.

26345. You say that Commissioners have to approve the appointment of Secretaries to District Councils and municipalities; is it merely an approval of the appointment or do they appoint in the first instance?—They generally throw out a suggestion that they would approve of such and such men being appointed Secretaries, and that might influence the members.

26346. There are two ways of appointing a man; a Council might say, "We elect *X* to be our Secretary," but the appointment is not valid without the Commissioner's consent; or the Commissioner may take the initiative and say "Whether you like it or not, *X* is your Secretary"; which is the procedure here?—The procedure here is, "I should like to approve of the election of *X* if you elect him," and the members always say "The Commissioner wants *X* to be appointed as Secretary, and we must strain a point in his favour."

26347. Supposing the Council are misguided enough to prefer *Y*, what would happen?—The Commissioner might disapprove of his election; he might say that *Y* is either too old or too young or give half a dozen reasons or none at all.

26348. But ordinarily he would have to confirm the selection of the Council unless he had some objection to the nominee?—Unfortunately there is nothing in the Act which lays down that the Commissioner is bound to give reasons; he can simply say, "I disapprove of that selection."

(*The witness withdrew.*)

Adjourned.

FORTY-FIRST DAY.

NAGPUR, *Friday, 7th February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under Secretary of State for India, *Chairman.*

SIR FREDERIC LELY, K.C.I.E., C.S.I.
SIR STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Rao Bahadur RAMKRISHNA RAOJI PANDIT was called and examined.

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26349. (*Chairman.*) You are Extra-Assistant Commissioner at Nagpur?—Yes.

I do not think that the present right of appeal to the Government of India requires any revision.

Sub-Divisional Officers are stationed at the headquarters of every district. Each Sub-Divisional Officer should have his headquarters in his sub-division with free quarters and sub-divisional allowances as in Bengal. There should be one separate assistant for the treasury and headquarters criminal work and one other assistant to assist the Deputy Commissioner in his office work.

Executive Officers possess sufficient knowledge of Hindi which is generally understood all over this province.

Frequent transfers of officers are not general, but there should be a limit of five years before which an officer should not be transferred without special reasons.

An Administrative Council would be of assistance to the Deputy Commissioner. It should be constituted by electing two members from the District Council, two from the district municipality, and two nominated by Government, the seventh being the Deputy Commissioner himself. This Council should take up subjects in connection with public affairs, such as famine operations, suspensions of revenue and assessment of income-tax, matters relating to old customs and usages, education, sanitation, the location of liquor shops and the like.

It is expedient to invest District Boards with powers of supervision and control over the smaller municipalities within their respective districts. By doing so the Deputy Commissioner will be relieved of some work and the municipalities will benefit pecuniarily. The villages managed under the *Mukaddam* Rules in these provinces and under the Villages Sanitation Act should likewise be made

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over to the District Boards for purposes of supervision and control.

26350. You say that some amount of delegation of powers to suspend land revenue might be given to the Deputy Commissioner—do you apply that to wet and to dry revenue—Up to a certain limit, power might be given both in the case of wet and dry crops. We have wet crops here. I think the orders of the Government of India were that either the Collector or the Commissioner might grant suspensions, but in this province the Commissioner only has been empowered, so that if the power is given to the Deputy Commissioner he will be able to redress the grievances of the people here.

26351. Can you suggest any limit beyond which the power of remission should not go?—When there is a failure of crop in a small tract, and such remissions would not exceed Rs. 20,000, the Deputy Commissioner should have power. At present we have villages divided into three classes, and according to the instructions laid down by the Chief Commissioner there are different ways of giving remissions in different classes. If power were given to the Deputy Commissioner it would facilitate work and satisfy the people, although of course he should report his action immediately to the Commissioner.

26352. You say that Sub-Divisional Officers have no administrative power; what do you mean?—They cannot transfer any official, they cannot grant any leave, they cannot fine anybody, and they cannot appoint any substitute.

26353. Ought they to have power to do so?—Yes, the tahsildars have some power; they can fine a patwari up to one or two rupees, and the Assistant Commissioner cannot.

26354. You say that Sub-Divisional Officers ought to live in their divisions; what would be the result of that change?—It would be very much appreciated by the people; at present they have to come from long distances to the headquarters of the district to transact theiir business, and they would be able to go to the headquarters of the *tahsil* which should be the headquarters of the sub-division, where the work would be more rapidly done, and it would save them a lot of trouble and expense.

26355. What is the present practice?—There are sub-divisions in this district, but all officers are stationed at Nagpur, and only go to the sub-divisions when touring.

26356. What is the size of a sub-division?—About 871 square miles in the Nagpur Division.

26357. How far is the centre of your sub-division from Nagpur?—Nagpur is the centre, but there are three other sub-divisions which are quite distinct. One of the centres is about 24 miles, the other 29 miles, and the third about 36 miles away.

26358. With regard to the Municipal Act, you suggest that the Committee should have the power of transferring land?—Yes; if even a very small piece of municipal land is to be sold, we have to get the sanction of the Local Government.

26359. When you say transfer, do you mean sale?—Yes, and sometimes lease or gift; the rules do not provide for any gift with regard to municipalities.

26360. You think the Commissioner should have more power of examining the municipal budget in detail?—It occasionally happens that certain works are provided for, but for some reason or other they cannot be undertaken in that particular year unless the Commissioner's sanction is obtained; that entails great delay and the result sometimes is that the works are definitely dropped that year, and there is a large saving on the municipal budget; if there is provided in a lump sum a certain amount for the repair of roads and other things, an estimate could be prepared, and the budget allotment at once spent.

26361. Is your suggestion that there should be re-appropriation from year to year?—Yes. When we have a certain work provided for in the District Council's budget, after the estimate is prepared it goes to the Engineer, then to the Commissioner, and then to the Chief Commissioner, and certain objections are raised, and by that time most of the year is over and we are unable to proceed with the work. There should be an estimate prepared, signed and countersigned by the Engineer, and then the work should be provided for in the budget.

26362. (*Sir Frederic Lely.*) Do you think that the doctors at the dispensaries are all that can be desired?—They are very insufficiently paid at present.

26363. Are they sufficiently controlled?—They are wholly under the control of the Civil Surgeon.

26364. Supposing people are dissatisfied with their doctor, have they any means of changing him?—Sometimes they send a petition to the Deputy Commissioner or the Civil Surgeon, but there are other means.

26365. What power has the Deputy Commissioner?—He sends the petition on to the Civil Surgeon and asks for a report, and if the Civil Surgeon reports that the complaints are frivolous, the petition is only filed.

26366. Are you aware of cases of doctors not being satisfactory?—Yes, as they are insufficiently paid we do not get competent men for Hospital Assistants.

26367. Have you any defects to point out in the management of primary schools?—We have at present two deputy inspectors in the Nagpur district who submit their reports, and there is an inspector who occasionally visits. With regard to the appointment of masters, the District Board has power which is sufficient, but to open a school or close a school we have to get the sanction of the inspector of schools and the Deputy Commissioner, which is unnecessary; the District Board alone should have the power.

26368. Have the people themselves enough say in the management of their schools?—For every school we have a committee of local men residing in the town; they meet every month, and whenever an officer visits they meet him and matters are discussed, so that they have a say.

26369. Might more power be given to the School Committee?—Yes, they might be told to report.

26370. Might they be entrusted with the maintenance of the school buildings, for instance?—Certainly.

26371. And power to give holidays and regulate the fees?—Not in a general way. They might regulate the fees, but subject to the control of the District Board; there is no objection to their making recommendations.

26372. In the general management of the school course would you give them uncontrolled power?—Where it is possible that they can do any good, powers might be given to the School Committee, subject to the control of the District Board.

26373. Has the District Board entire power to maintain roads?—No, most of the roads are in charge of the Public Works Department.

26374. Would it be a good thing to give some of the villages full power to maintain their own roads, giving them a small grant for the purpose?—Yes.

26375. And leaving them entirely uncontrolled?—They would be under the control of the Local Board. An official on the committee, or a member of the Local Board residing in the vicinity, would be able to supervise the work if put in charge, and then he would be supervised by the President of the Local Board, the Local Board overseer advising him as to the work.

26376. Would you give the overseer power to interfere?—I would give him power to supervise and report if anything went wrong.

26377. But would not the interference of the overseer rather spoil the whole thing in the eyes of the villagers?—No, I think not.

26378. They would not resent the interference of a subordinate like the overseer?—No, the overseer does not interfere to any great extent.

26379. You would not give over the money to leading villagers and tell them to make the best of it themselves and take the whole responsibility?—No.

26380. As a class, are tahsildars the men who come face to face with the people most frequently on behalf of Government?—Yes.

26381. Are they efficient as a class?—Of late there has been a great improvement, and we have now several efficient tahsildars.

26382. Are they generally honest?—Yes.

26383. They are Second Class Magistrates?—Yes.

26384. Are they sufficiently paid?—Yes, now they are; their scale of salary has been increased.

26385. Does the modern tahsildar make it his duty to investigate any false rumours that get abroad, and show the people that they are false?—Yes, I think so.

26386. If Government brings forward a measure, or issues an order which is misunderstood by the people, does the modern tahsildar make it his duty to explain things to the people?—Yes, at present they do.

26387. Are the patwaris efficient and honest?—They are very insufficiently paid. We do not get good men, and their salaries should be increased.

26388. With regard to the sale of public land in municipalities, there is very little spare land in modern towns; in the case of a space at a street corner adjoining the house of an influential resident who is anxious to get it, is there not great danger of that man using his influence with the municipality and getting them to sell it to him?—But those lands are sold under certain rules.

26389. You propose that a municipality should have power to sell such lands without any control?—Only small pieces; my experience is that it has always been put up to auction.

26390. I am supposing it ought to be reserved for the public use. Should a municipality have power to alienate a piece of public land like that?—But it is generally considered by the Municipal Committee, and they are particular nowadays about not selling land if it is, or is likely to be, required for public purposes.

26391. Even remembering that a sale like that is practically irrevocable?—In regard to a small area, I think it would be quite safe.

26392. (*Mr. Dutt.*) Is every primary school managed by a Committee?—Yes, every school.

26393. Have you a fairly large number of such primary schools in your sub-division?—In my sub-division there are about 48. There are 550 villages.

26394. Has your Local Board sufficient resources to increase the number of primary schools to the extent desirable?—No. They ought to be assisted by Government grant. At present we spend a lot of money on schools, and if we are assisted by the Government in the way of increased grants, we should be able to open more schools; in fact in the whole of the Nagpur district we have about 105 primary schools, which a very small number.

26395. Are the proceeds of the Education Cess spent on schools?—Yes, but it is not adequate. We get a grant also from Government, but it is very small. Our School Cess income is Rs. 22,000, whereas we spend over Rs. 50,000.

26396. When you get a report from the deputy inspector that a school is not doing well, what procedure do you follow?—We first of all enquire into it; on the receipt of the deputy inspector's report, we ask the tahsildar to report, and when his report comes it is put before the Council for discussion, and we decide and make a report to the Deputy Commissioner if the school is to be closed.

26397. And is the final order passed by the Deputy Commissioner?—Yes, in consultation with the inspector of schools.

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26398. We understood from a witness yesterday that there is a scheme for appointing Divisional Engineers for District Boards?—Yes, it has only been tried in the Nagpur Division, where a Divisional Engineer has been appointed. I think it is a good plan.

26399. As regards smaller works costing under Rs. 1,500, do you think the present system good or do you suggest any change?—No, I do not think any change is needed.

26400. You say that your District Board has not the power to open new pounds?—No. The Deputy Commissioner's sanction is required by law Powers might be given to the District Board.

26401. Are the servants of the District Board entitled to any sort of pension?—Not under the present rules. The Local Government is considering the matter of a provident fund, but nothing has been decided.

26402. If a provident fund was created, the Service would be made a little more attractive?—Yes.

26403. At present the whole income of the District Board consists of the Education Cess, he Road Cess, and the contribution from Government and certain fees from pounds and ferries?—Yes.

26404. You do not get the proceeds of any other tax, and you want power to impose a new tax?—Yes.

26405. Would that make the District Board popular?—It would not be unpopular. It would not bring in a very large income, but still it would bring in something.

26406. Is the *mukaddam* appointed by Government?—Yes.

26407. Are the villagers consulted in his appointment?—The *malguzar* is consulted; the villagers are not.

26408. Is anything done in the way of settling petty disputes by the *mukaddam*?—Yes, in every village there is a *mukaddam*, and a few of the respectable villagers settle disputed matters with him, and the people occasionally abide by their decisions.

26409. Would it be possible in advanced villages to constitute a panchayat to help the *mukaddam* in settling these matters?—Yes, it would be possible in certain villages.

26410. In that case would you empower the panchayat and the *mukaddam* to dispose of petty civil cases arising in a village?—In course of time.

26411. And also to dispose of petty criminal cases, giving them a small power to fine?—Yes.

26412. You propose the constitution of a small Administrative Council to assist the Deputy Commissioner; do you confine yourself to the matters mentioned, or are there other matters in which such a Council might be of use?—There might be other matters.

26413. As regards education, would members of such a Council give advice of value to the Deputy Commissioner?—Yes.

26414. In cases of plague or famine, might they be of use?—Yes.

26415. Do you also include the location of liquor shops as a matter in which they might be consulted?—Yes.

26416. Should the members be nominated or elected, or partly nominated and partly elected?—Two should be elected by the District Council, and two by the municipality, and two should be nominated by the Local Government, with the Deputy Commissioner himself.

26417. (*Mr. Hichens.*) Under whose orders is the Divisional Engineer who has been recently appointed?—Under the orders of the Commissioner.

26418. So that if any District Board wants his services they have to apply to the Commissioner?—Yes, and we are also directly in communication with him and he manages his tour; he has five districts to take up.

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26419. It was suggested that it might be desirable to hand over to the District Boards the maintenance of all the roads; would that be a good thing?—Now that they have a Divisional Engineer they can manage the district roads, but they should have additional funds to carry out these works.

26420. On what principle should that addition be given?—According to the roads in the district.

26421. You would not give them a percentage on their income?—It would be better to consider the circumstances of each district.

26422. Is it not better that they should have a grant of a definite amount each year, so that they could know what they can count upon?—Each year's grant could be settled, but it should be in accordance with the requirements of the district varying from year to year.

26423. What are the powers of Municipal Boards to-day?—A municipality or District Council can appoint a man on Rs. 15 a month and create a new appointment up to that amount, but above that they have to get sanction.

26424. Do you mean if an appointment falls vacant carrying a salary of over Rs. 15 a month they have to get the sanction of the Deputy Commissioner or Commissioner?—To create an appointment of over Rs. 15 sanction is required. To fill a vacancy, I think the sum is larger—up to Rs. 50.

26425. (*Mr. Meyer.*) Would you give Local Boards the same powers as District Councils for the local areas they administer?—Subject to the control and supervision of the District Council.

26426. You would not give them any separate source of income?—The budget of the income of a Local Board should be prepared; for instance, there are four Local Boards in this district, and they should have the income from their area and a budget should be prepared.

26427. But they only have such funds as the District Council chooses to give them?—Yes.

26428. In Madras, on the other hand, the land cess is divided, half and half, between District and Local Boards, and the Local Boards also have some other independent sources of revenue—would you be in favour of a scheme like that, so that the Local Boards would have something they could count on definitely?—Yes, there is no objection to that course.

26429. Is your work as a Sub-Divisional Officer mainly revenue or magisterial?—Both.

26430. Do you take appeals from subordinate Magistrates?—I do.

26431. Is that the usual practice in this province?—All Sub-Divisional Magistrates have appellate powers and they take appeals at times; the Deputy Commissioner selects a certain number to take himself, and some he sends to the Sub-Divisional Magistrate.

26432. Ordinarily do all the appeals from Second and Third Class Magistrates as in a sub-division go to the Sub-Divisional Magistrate, or does the District Magistrate deal with them?—The District Magistrate deals with them.

26433. Are your Sub-Divisional Officers vested with the powers of a Deputy Commissioner in revenue matters?—Yes, except as to certain sections of the Land Revenue and Tenancy Acts.

26434. But where they are vested with the powers and there is an appeal, it goes to the Commissioner?—Yes.

26435. Would you be in favour of giving the appeal to the Deputy Commissioner?—Yes, there is no objection.

26436. As a Sub-Divisional Officer, do you deal with the sale of liquor shops?—No; there is a separate department, and it is managed through it.

26437. But who sells the shops?—The Deputy Commissioner himself presides.

26438. Is there any reason why the Sub-Divisional Officer should not sell them if assisted by an excise expert?—No.

26439. Do you take income-tax work?—Yes, on incomes above Rs. 2,000 the assessment is made by the Sub-Divisional Officer, and on incomes below that by the tahsildar, but it is submitted by the tahsildar to the Sub-Divisional Officer.

26440. Above Rs. 2,000 do you assess?—I can assess up to any limit, but we have to submit the list to the Deputy Commissioner for approval and revision.

26441. Is that necessary; if a man is dissatisfied would he not appeal to the Deputy Commissioner?—No; that power does not exist. First of all the assessment is made by the tahsildar and Sub-Divisional Officer, and submitted to the Deputy Commissioner for sanction. Then the objection is filed to the Sub-Divisional Officer; he disposes of the objection, and then it goes to the Commissioner on appeal.

26442. Supposing the Deputy Commissioner did not sanction the assessment, might he not take the Commissioner's place as an appellate authority?—Yes.

26443. In every case of land acquisition, the sanction of the Government is required under the Act?—The first notification is issued under the sanction of the Government.

26444. In small cases might not the Commissioner sanction instead of the Local Government, if the law permitted it?—Yes.

26445. You say that when it appears that a female or a minor's guardian is recklessly squandering property, the Court of Wards should be empowered to take it over, but cannot the Court of Wards take over any estate of which the owner is a minor?—I want the Commissioner to be able to deal with it in anticipation of sanction.

26446. You say there have been failures to obtain loans for estates from bankers at a reasonable rate of interest—it has been suggested that the Local Government might incur loans, and it was said that this would not interfere with the borrowing of the Government of India, because there was a certain amount of local capital which would come forward for provincial loans. Now, having regard to the fact that bankers will not lend money to estates, is it likely that they would lend to the Local Government?—There is more security, and they might lend to the Local Government.

26447. Do you think there would be a special market for Local Government loans?—Not in the province.

26448. You say that the Commissioner has no power to sanction expenditure up to Rs. 1,000?—It has now been increased to Rs. 2,500. The Deputy Commissioner has no power.

26449. Do you desire that the Deputy Commissioner should have power to sanction expenditure on buildings?—Yes. I would propose power up to Rs. 2,500.

26450. You have said that the Deputy Commissioner should have an assistant at headquarters; how many has he now?—For the Nagpur district he has six assistants of whom two are for general work.

26451. Is that the general number at present?—Yes.

26452. In other districts have they those two general assistants?—No, they have Sub-Divisional Officers.

26453. Is there no Treasury Officer?—No; there is no separate Treasury Officer.

26454. Would you allow municipalities to have simple rules of their own, regulating leave, pension, etc.?—Yes.

26455. You say that District Councils have power to sanction estimates only up to Rs. 500; above that amount have they to go to the Commissioner?—Between Rs. 500 and Rs. 2,000 they go to the Deputy Commissioner; between Rs. 2,000 and Rs. 5,000 to the Commissioner, and above Rs. 5,000 to the Chief Commissioner.

26456. Is it the same with regard to municipalities?—Yes.

26457. Supposing in the case of an Advisory Council, a Deputy Commissioner disagreed with a majority of the members, what would happen?—He should report the matter to the Commissioner.

26458. Should the Commissioner also report to a higher authority?—I think not.

26459. (*Sir Steyning Edgerley.*) Have not Sub-Divisional Officers sufficient power with regard to inspection?—No; in one case I inspected a police station-house, and I was told that I had no authority to do it.

26460. Have the Magistrates nothing to do with the police?—Nothing except with regard to the disposal of cases.

26461. Cannot they go into a station-house and look at the crime register?—No. An Assistant Commissioner can in this province, but not the Extra-Assistant Commissioner.

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26462. Where an Extra-Assistant Commissioner is in charge of a division, has he absolutely no magisterial control over the working of the police?—No.

26463. Has that always been the case?—Yes.

26464. You said that patwaris were very badly paid; how are they paid?—At present they have a fixed salary from Government. They are all paid Rs. 12, and none of them are paid more than Rs. 15.

26465. Have they a great deal of work?—Yes, and important work.

26466. Have they any time to cultivate?—Under the rules, they are not allowed to cultivate within their circles, as it would interfere with their duties.

(*The witness withdrew.*)

Mr. F. G. SLY was called and examined.

26467. (*Chairman.*) You are Director of Agriculture?—Yes. I have also been Under-Secretary to the Government of India, and Inspector-General of Agriculture to the Government of India.

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The Director is entrusted with the administration of the provincial Department of Agriculture. The superior officers of that department are seven in number, 5 Europeans and 2 Indians, viz., 2 Deputy Directors and 1 Assistant Director (Agricultural experts), Principal of the Agricultural College, Agricultural Chemist, Botanist, and Superintendent of the Civil Veterinary Department. Its main object is the improvement of Indian agriculture, and its operations include the management of experiment stations; a college for technical agricultural education; the distribution of improved seeds and implements; the introduction of improved methods by demonstrative farms, issue of publications, co-operative tests, work of district agricultural associations, and the like; veterinary dispensaries, cattle-breeding farms and measures for the suppression of cattle diseases; the management of Government and district gardens; technical advice to Government in cases where agricultural interests are concerned; some branches of technical education and the improvement of industries.

The most important measure of decentralization that I would recommend is the establishment of a provincial Legislative Council, which is justified by the importance of the interests with which the provincial Administration is now concerned. It would lead to legislation more in consonance with local needs, and would satisfy some of the legitimate aspirations of the people for a greater share in the government of their country. With this object, Berar should be declared to be British India, so far as the making of laws is concerned.

The district should be the essential unit, and the District Officer should be given larger powers of initiation and final disposal, both in matters relating to revenue and general administration. This should involve a more rigid system of selection for that post than has hitherto been enforced, and I would give the Commissioner the right to withhold certain powers in exceptional cases, where an inexperienced officer is appointed to the post of Deputy Commissioner. I would lessen the burden that this would throw upon District Officers, by increasing the powers of the Sub-Divisional Officers.

The introduction of the sub-divisional system has improved the administration and been welcomed by the people. I would extend it by making senior assistants permanently reside at the headquarters, which are not too isolated, and in every case I would provide a permanent residence in which the Sub-Divisional Officer should reside from November to June, during the intervals of his tours. The Deputy Commissioner would get some relief from the heavy burden of office work (1) by being entrusted with larger powers of final disposal, (2) by delegation of more powers of final disposal to the Sub-Divisional Officers.

The position of Commissioner is one of the greatest importance in the well-being of the country, but instead of giving him, as at present, a considerable share in the actual administration of each district, I would like to see his functions altered more to those of direction and control over District Officers, which would largely be exercised rather by inspection than by constant official references. To give a specific instance, the Commissioner should control all revenue collections of a district by examining the figures of his inspections rather than by receiving monthly statements showing the progress of collections. And in his turn, the Commissioner should be given some of the powers of final disposal at present exercised by the Chief Commissioner, more particularly in such matters as the Court of Wards, revenue appeals, and the like.

As a particular instance, I would mention the system of appeals under the Land Revenue and Tenancy Acts. The general rule is that each case is decided by the Deputy Commissioner (or an assistant invested with Deputy Commissioner's powers), a first appeal lying to the Commissioner and a second appeal to the Chief Commissioner, even in such petty matters as the appointment of a village watchman. In such cases of small importance, the Sub-Divisional Officer should have powers of disposal, a first appeal lying to the Deputy Commissioner; a second appeal to the Commissioner should not be allowed unless the decision is reversed on first appeal. In important cases, the decision should be made by the Deputy Commissioner, with first appeal to the Commissioner, and a second appeal to the Chief Revenue authority only when the first decision is reversed. Each party would thus be given one right of appeal.

The constant touring (more particularly of subordinates of several departments) is considered a hardship by many villages. The necessity for touring has been pressed, in the interests of efficiency, somewhat in advance of the real requirements of the people. At the same time, it is necessary for superior officers, such as the Commissioner, Deputy Commissioner and Sub-Divisional Officer to come into close personal contact with the villagers. In order to lessen the abuses at present inseparable from touring, I would recommend a change from the present system, in which an officer usually marches to a fresh camping ground each day, to a system under which a standing camp would be kept for a substantial period at the most important village of the tract, where supplies are available in the open market, the officer making daily tours from this centre to villages within a convenient radius.

As the integral unit of the Government, the District Officer should be in close touch with all branches of the administration in his district. This is at present the case in regard to most branches, such as police, forests, excise, education and the like, but the Public Works Department is a glaring exception. The administration of this

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department stands the lowest in general reputation for efficiency, and on more than one occasion respectable native gentlemen have told me that they would not permit their sons to enter this service. The evils are largely due to insufficient administrative control, and I recommend that the Public Works Department should be placed in the same relation to the District Officer as other Government Departments.

Larger powers should be given to Municipal Committees and District Councils, so that they may take a real part in the self-government of their district. At present they are treated more on the lines of a Government Department than as an independent, self-governing body. Their financial powers should be increased, more particularly in regard to establishments, Public Works, reappropriations and the like. The chief difficulty is that as a rule their funds are not sufficient to employ an efficient staff, so that the execution of most schemes has to be handed over to a Government Department.

Some large municipalities are quite competent to manage their own affairs, but this is not the case with most municipalities and local bodies. In the latter cases, I would revert to the old practice, under which the Deputy Commissioner was the President. It is in accordance with Indian opinion that the affairs of the district should be managed jointly by the District Officer and the leaders of the people. Moreover, it has excellent results in bringing the District Officer into close touch with such leaders. Far from being a retrograde step, I believe that it would result in a more rapid advance towards local self-government.

The District Council is capable of being as good a District Advisory Council as any that could be created; I do not see any good in forming a separate advisory body, but would utilise the District Council for this purpose. I doubt very much whether the village communities can be relied upon for much assistance in disposing of local affairs, but a trial might be made in suitably selected villages of entrusting the village panchayat with some control over local affairs, and with the power to settle the civil disputes (up to a fixed small value) of parties who both consent to abide by their decision. If successful, the scheme might be expanded to include small criminal powers.

As Inspector-General of Agriculture for India, my relations with provincial departments of agriculture were solely advisory, and I consider that this is correct in principle and worked well in practice.

26468. Are you brought much into contact with the Inspector-General of Agriculture?—Yes, whenever we write and ask for advice in regard to matters he gives such advice as he can, and he comes round on tour occasionally in order to inspect us.

26469. Do you have any official correspondence with him direct?—Yes, generally upon technical matters in which one desires advice in regard to specific pieces of scientific work.

26470. Is that conducted through the Local Government?—No. It is the duty of the Director to keep the Local Government informed on points of importance on which correspondence is occurring, and he also has to report all matters of importance which may have occurred during the year.

20471. Is there any tendency on the part of the Inspector-General to interfere directly with your work?—No.

26472. Supposing he came and found one of your experimental farms was not being satisfactorily conducted, what steps would he be likely to take?—He would give to the Local Director his advice as to points where he thought things were wrong, and then it would be for the Director to deal with it.

26473. He would not advise the Local Government?—I do not think he ordinarily corresponds with the Local Government. I think his usual procedure is to come round and write an inspection note, which he sends to the Local Director, upon which the Local Director takes such action as he thinks necessary.

26474. Supposing he took no action, what could happen?—Then I do not think anything else would happen. I think the matter ends there, unless it was taken up specially by the Inspector-General to the Government of India. The Inspector-General generally asks us what action we have taken on his notes and we report.

26475. You do that as an act of grace and not as an obligation?—Yes.

26476. On the whole, you think the appointment of Inspector-General of Agriculture has been a good appointment?—I think quite a good one.

26477. You have a certain staff under you managing experimental stations?—Yes.

26478. Have they any powers of their own, or must they come to you in regard to all their expenditure for experiments?—I have delegated certain powers, and with regard to the stations, they manage them entirely themselves, and only have to report to me any specific individual proposals which they think of sufficient importance to require my sanction.

26479. Has the officer in charge of the farm here a free hand to do what he likes?—Yes. If he wants to alter the programme of work it is reported, and the proposal is discussed by the whole of the staff generally.

26480. Do you prepare a budget?—Yes.

26481. Can you put on as many labourers as you like within the budget entirely at your own discretion?—Yes; the officer in charge of the farm would do so, without reference to me. On a farm the labour must vary from day to day according to the requirements, and it would be impossible to have a fixed scale. He has a free hand in regard to variable labour.

26482. You have also been a Commissioner of Settlements?—Yes.

26483. We were told by a witness that the appointment of a Commissioner of Settlements was hardly necessary, and that the work should be left to Divisional Commissioners; have you anything to say in regard to that?—Do you mean that the appointment should be abolished and taken over by the Divisional Commissioner? I think that would be an extremely unwise proposal. The Settlement Officers as a rule appointed in this province are young officers who, at the start, have very little experience of settlement work, and who therefore require considerable supervision particularly in the earlier stages of their work. I do not believe that such supervision could be given by Divisional Commissioners, partly on the ground that they have other duties to perform, and partly on the ground that the Divisional Commissioners themselves may not have experience in the technical branch of the work.

26484. Is your decision upon settlement questions and appeals from settlement questions final?—No, appeals go to the Chief Commissioner direct.

26485. Another suggestion made was that every young officer on first coming out should, after a period of probation at headquarters, be put under the charge of a Settlement Officer in order that he might acquire a thorough knowledge of the language and mix with the people of the province; have you any remark to make as to that?—At present every Civilian goes through a course of training under a Settlement Officer.

26486. Would it not do a man much good to go under a Settlement Officer at the beginning of his service?—Yes, I think he should go out, but not on specific settlement training, but more in the way of acquiring a general knowledge of the language and the people.

26487. You suggest that the Sub-Divisional Officer should live in his sub-division; what is your reason?—In these provinces, with the exception of two or three sub-divisions, the Sub-Divisional Officer lives at the district headquarters, but in some other provinces he lives entirely at the sub-division. The advantages of both methods vary according to the different parts of the country. In some cases

you get terrible isolation for a European, which affects his nerves and general system greatly, while in others you get the officer not sufficiently in touch with his sub-division. As far as these provinces are concerned, I think the best system would be to insist that the Sub-Divisional Officer should be out in his sub-division for the seven open months of the year, and let him remain at headquarters for the other five.

26488. (*Sir Steyning Edgerley.*) Does much correspondence grow up on the inspection memos you receive?—Not much.

26489. It is not usual to send them to the Local Government?—It is left to the discretion of the Director.

26490. And when it has been dealt with, it is not sent up for information so that the Local Government may know what is being done?—That duty is also left to the discretion of the local Director.

26491. But do you send it to the Local Government with your remarks?—As a rule, yes.

26492. Is there any order that you should?—I do not think so. The communications from the Inspector-General may be on some purely technical matters in which the Local Government is not intensely interested, or they may deal with an important proposal.

26493. Is there any tendency for the correspondence to grow between yourself and the Inspector-General?—No; in fact I think we should prefer to see more of the Inspector-General than we do.

26494. Do you endeavour to co-ordinate your experimental work with what is done at Pusa and elsewhere?—Yes. It is done very efficiently by the meetings of the Board of Agriculture at which our annual programme is discussed, and where we often receive most valuable suggestions. We submit our programme of work for the year to the Board, and the Board, as a body, pass such remarks on it as they think fit.

26495. What is the exact organisation of the Civil Veterinary Department here?—At the present time, there is a Superintendent of the Civil Veterinary Department who is a member of the Imperial Service, and who is under the control of the Director of Agriculture, and at the same time there is a staff of six inspectors in charge of divisions who are paid from provincial revenues; then there is a larger staff, at the present time I think about 60 veterinary assistants, who are in charge of dispensaries or peripatetic work in the districts, who are paid by the local bodies.

26496. What is the control over the Local Board establishment; is that vested in the Local Boards?—It is shared between the superintendent and the local bodies; for instance the power of appointment rests largely with the superintendent; he finds the men and places them under the local bodies, and the local bodies pay for their services and are supposed to supervise their work.

26497. Where are these men trained?—At the veterinary colleges throughout India.

26498. Can the Local Boards control their work very much?—At present the system has not been found efficient; it is a divided responsibility which has not worked well, and proposals have now been submitted by the Local Government to the Government of India for the provincialisation of the whole staff.

26499. Are the inspectors in the Provincial Service entirely?—Yes.

26500. Is the superintendent entirely under your orders?—Yes; he is on the imperial establishment and paid from imperial revenues; but he is entirely under the control of the Local Director; transfers, leave, and such like arrangements are made by the Inspector-General.

26501. He is practically supplied to the province by the Imperial Government?—Yes.

26502. Is your agricultural staff engaged principally on scientific work, or are they much in touch with the District Officers?—Some are engaged more on scientific work than others, but the majority are doing practical work in touch with District Officers.

26503. In regard to what sort of work?—The scientific work of the experimental stations is done entirely by the expert staff as such, but the whole of the other branches of the work of the department in regard to demonstration farms in the district, in regard to the district Agricultural Associations, and in regard to all practical work that is being done in the district, is being done as far as possible closely in touch both with the District Officer and the people; in fact, the department could not get along without the District Officer.

26504. Do you tour much?—Yes.

26505. As regards a suggestion of a different system of touring which you make, is there anything to stop an officer who prefers that system adopting it?—I think not.

26506. A halt for three or four days and then a move on would be a cheaper form of travelling than travelling day by day?—It might possibly be so.

26507. Do you have many complaints in the district with regard to the insufficiency of travelling allowances?—There are complaints that it does not cover the officers' actual expenditure.

26508. Is that in any way due to the system of touring they follow?—I do not know; every officer as far as I know who goes on tour always takes the whole of his equipment and transport, and employs them straight through for the number of months that he is going to travel.

26509. Are they all on daily allowance?—Yes; the number of cases in which they travel more than 20 miles a day is extremely few.

26510. Are the allowances adequate?—I think so.

26511. (*Mr. Meyer.*) In this province do your officers tour during the cold weather months?—That is the ordinary rule. They also tour in the hot weather, or at the beginning of the hot weather at any rate.

26512. Do they divide the year more or less into two portions, during one of which they are constantly moving about, while in the other they are at headquarters?—Yes.

26513. Has not the placing of a Sub-Divisional Officer in separate headquarters the advantage of making a man more self-reliant?—Yes, I think so.

26514. Is that not rather a valuable element in a young officer's training?—Yes, but on the other hand you will find some cases where the Sub-Divisional Officer is isolated in an extremely jungly place which would be very detrimental to his efficiency.

26515. He could always go into the district headquarters periodically to attend District Council meetings and so forth?—Yes.

26516. From the point of view of the people it would be an advantage that they should have an officer near at hand?—Yes, I think so.

26517. As regards settlements, is the Settlement Officer in a district in any way subordinate to the Deputy Commissioner?—No.

26518. Does he submit his settlement reports through the Deputy Commissioner?—Not when I was a Settlement Commissioner.

26519. Do you mean to say that the Deputy Commissioner has no say in such an important matter as the re-settlement of his district?—I think not. The Commissioner has every say.

26520. At what stage does the matter go to the Commissioner?—Every report goes through the Commissioner.

26521. That is to say the Settlement Officer sends his report through the Divisional Commissioner, and the Divisional Commissioner forwards it, with his remarks, to the Settlement Commissioner?—Yes.

26522. Then does the Settlement Commissioner send it on to the Chief Commissioner?—Yes.

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26523. Do you not think that the Deputy Commissioner might be taken in too?—Yes, I think the Deputy Commissioner might be brought more closely into touch.

26524. In Madras the Settlement Officer is an assistant to the Collector for settlement purposes, and is supposed to consult the Collector; would that be a good plan here?—In the Central Provinces Settlement is a technical line of work in which the Deputy Commissioner could give very useful advice on broad questions of principle, but in regard to the detailed working I doubt whether he would be more than a drag on it.

26525. I am speaking from the point of view of matters which affect the people such as the character of the assessments; would it be advantageous to adopt the Madras system?—I doubt it; I think the disadvantages would be greater than the advantages.

26526. Still you think that the Deputy Commissioner should be consulted?—Yes, and as a matter of fact the Settlement Officer does consult him, if not officially, at least unofficially.

26527. Is there not a vast amount of control over your settlements by the Supreme Government?—Yes.

26528. A reference has been made to the Government of India for relaxing that control; does that meet with your approval?—Entirely.

26529. Is it sufficient for the Government of India to lay down principles and to leave the details to the local administration?—I think so.

26530. In Northern India they have to send up inception reports; are those necessary?—I think they are useful. The inception report and the final report are the two most useful things which the Government of India get.

26531. Do you mean from the point of view of information, or what?—The inception report lays down the general lines upon which a settlement is to be conducted; it contains an estimate of the enhancement which it is considered advisable to put on, and it seems to me the most useful report there could be.

26532. But the general principles have been already laid down by the Government of India themselves in a variety of resolutions?—I meant the application of the principles to a particular district.

26533. And you think that the Government of India ought to be in a position to see whether the general principles are being properly applied to particular districts?—Yes; if the Government of India are to have any control over settlements at all, the best time at which to do it is on the preliminary proposals.

26534. You know of course that Madras and Bombay are under no such restrictions?—Yes.

26535. (*Chairman.*) Do you think any evil has resulted from that?—Not that I am aware of.

26536. Would inception reports come to you while you were in the Revenue and Agricultural Department of the Government of India?—They passed through me as Under-Secretary.

26537. (*Mr. Meyer.*) We have been told that in some provinces the Revenue and Agricultural Department have been unnecessarily interfering with Local Governments in matters of land revenue, and that in Bengal they have endeavoured to force the Punjab methods; what is your opinion?—I think the control of the Revenue and Agricultural Department has perhaps been more detailed than some other departments of the Government of India.

26538. Would you say unnecessarily detailed?—Yes, I think so.

26539. All Local Governments outside Madras and Bombay have to get sanction for settlement appointments beyond six months; is that necessary?—I do not think so.

26540. You have a general scale regulating the emoluments of Settlement Officers?—Yes.

26541. When a settlement has been sanctioned, might a Local Government have power to sanction appointments of its own officers within that scale?—Yes.

26542. Has no one any power of remission below the Chief Commissioner?—I am not very well acquainted with the latest rule, but that used to be the rule; I think the rules have been relaxed to a certain extent lately, and that there are more recent rules giving certain powers to the Commissioner.

26543. At any rate you know that the Government of India laid down certain rules as to remissions in times of calamity and so on?—Yes.

26544. With regard to agricultural loans, is there any necessity for extending the powers of local officers?—Not that I know of. I think the present system works fairly smoothly.

26545. We have been told that there are revenue inspectors in districts, but that they are under the Director of Land Records; might they not be regarded as part of the regular district establishment—it is part of the normal work of a District Officer to deal with land records?—Yes, the Deputy Commissioner at the present time has substantial powers over the revenue inspector's staff.

26546. Can he reduce or promote or dismiss them?—I do not know that he can reduce them, but he has power of punishment over them.

26547. Can he transfer them within a district?—No. The Director of Land Records does that.

26548. Who appoints them?—The Director of Land Records.

26549. Might not they be regarded as a regular portion of the district staff subject of course to inspection by the Director of Land Records?—The difficulty which would arise is that the number of inspectors is so small that, in order to keep up any general level of efficiency throughout a province, it would be necessary to have a general power of transfers from district to district, rather than making them district units.

26550. How many would you have in an ordinary district?—About 10 or 12.

26551. And that is not enough to enable the Divisional Commissioner to deal with them?—I do not know; the ordinary procedure is that the Director or his Assistant visits districts inspecting the land records, and if he finds in a particular district that the inspectors are weak he would immediately draft into it some of the best revenue inspectors about the provinces in order to strengthen it; or he would find that a particular man was not getting on particularly well in a circle, and then he would be transferred.

26552. Do you not think the present system leads to the Deputy Commissioner getting disassociated from land work?—I think it does; I do not know that it would be advisable to hand the staff wholly over to the Deputy Commissioner, but his powers and responsibilities might be increased.

26553. The agricultural staff, both imperial and provincial, has been very much increased of late years?—Yes.

26554. It has been said that the imperial staff, especially, is inclined to concentrate too much on mere research, and to leave matters of practical agriculture alone—is there any basis for that?—There may be a slight danger in that way, but on the other hand the intention is that the Imperial Department should very largely concern itself with abstract research, abstract research being the essential necessity for the solution of actual problems that arise. It is not right to say that there is a distinction between abstract research and actual agriculture.

26555. Would your idea be that the provincial staff should deal with practical work and the imperial staff with research work?—Yes, to some extent; it is impossible for the provincial staff to take up large fundamental problems.

26556. Then you do not think the imperial staff has been unduly centralized?—No.

26557. You have annual conferences for India, have you not?—Yes, under the presidency of the Inspector-General of Agriculture.

26558. Have those been of any practical use?—I think so, of great practical use.

26559. Was it not the original intention that the District Boards should deal with the Civil Veterinary Department?—Yes.

26560. And was not the idea to popularise veterinary work among the people, and that the District Boards were a good agency for doing it?—Yes.

26561. The tendency has been rather the other way, to take power away from District Boards and to provincialise—do you think that a good thing?—The other system has been tried and has been found absolutely to fail; the District Boards will not control a technical department doing technical work which they are not intimately concerned with.

26562. Is it really a matter which the Government must take up?—I think so.

26563. Through the District Officer?—Yes.

26564. Under the present scheme who will pay?—Under the new scheme it is proposed to follow the analogy more or less of the Medical Department in which the salaries and allowances of the inspectors are entirely paid from provincial revenues, and the actual expenses of the dispensaries, such as the subordinate staff, medicines, &c., will be paid by the local bodies.

26565. But at the same time the local bodies will have no say in the management?—Not a very large say.

26566. Is that a good system?—It has worked well in the Medical Department.

26567. If this work is too technical for the District Boards, would it not be better to take the pecuniary liability away from them and let the provincial Government undertake it direct?—Yes, I think it would.

26568. (*Mr. Dutt.*) You said that the inception report which is sent up to the Government of India contains something like an estimate of the enhancement which may be expected from the revision of a district; on what materials is that estimate prepared?—It is based on a general survey of the district, the increase of cultivation that has occurred, the rise in prices, the general state of prosperity or the reverse in a district, and all the ordinary considerations on which either an increase or decrease of land revenue is based. It is a general survey without any detailed investigation.

26569. Generally does the result correspond with the estimate which is formed at first?—Yes, I think so, fairly closely.

26570. Is there a re-classification of soils at each settlement?—Yes. The re-classification simply consists in a check of the previous classification with a rectification of any errors that come to light in it.

26571. Are those errors found to be frequent?—I think not.

26572. Would the fact of cotton having come into cultivation more extensively necessitate a great re-classification of soils?—Certainly.

26573. Is that re-classification done on the soil-unit system?—Yes.

26574. What is the class of officers entrusted with re-classification in villages?—It is entrusted to a staff of revenue inspectors who have been specially trained under the close supervision of an Assistant Settlement Officer and checked by the Settlement Officer. They are men receiving from about Rs. 30 to Rs. 50, and they are specially trained in soil classification before taking the work up.

26575. Do you say that the Settlement Officer's report might be sent through the Deputy Commissioner to the Commissioner?—I am inclined to think that that would cause unnecessary delay.

26576. You would not find any corresponding advantages if it was sent to the Deputy Commissioner and he was given a chance of making any remarks he might wish to make?—I doubt it, because the reports are such masses of detail.

26577. You do not think the Deputy Commissioner would like to make some remarks about the rent-rates?—Yes, upon the general principles; but when you come to separate village rent-rates fixed for each district, I doubt whether any advantage would accrue.

26578. Then you suggest that a report which contains the general result might be sent to the Deputy Commissioner, but not detailed reports?—Yes.

26579. When the rent-rates are fixed, is it generally made known to the people before they are sent up for sanction?—The actual rent-rate of each particular village is not make known to the people, but the general proposals for each tahsil are made known to the people and discussed at a meeting at which the Deputy Commissioner is present.

26580. Would that enable the cultivator to know exactly whether he has to pay any increased rental or not?—Not actually. He would be told what was the estimate for his *tahsil* and the increase or decrease that was likely to occur in rents or revenue generally in the *tahsil*, and he would also learn from the report which particular parts of the tahsil were likely to be above the average and which below the average.

26581. After the report has been submitted and sanctioned, if any particular cultivator has any objection to bring forward, what opportunity has he of doing so?—The Settlement Officer visits every village, and he has the opportunity of discussing with him the classification of the soil of his holding and the terms of his tenure and rights. He has that opportunity of seeing the Settlement Officer, and he also has the opportunity of criticising the assessment of his land at the time of the announcement of the rent.

26582. The announcement is made after it has been sanctioned by the Government?—Yes, by the provincial Government, I think.

26583. Then if he finds he is liable to some enhancement and he wishes to contest it, what does he do?—The Settlement Officer at the time of the enhancement is empowered of his own motion to make any small changes he wishes.

26584. After the sanction?—Yes, but that is a power seldom exercised. After the settlement has been announced, the tenant has a right of appeal to the Settlement Commissioner and a second right of appeal to the Chief Commissioner.

26585. Apart from Settlement Officers would you allow an appeal to the Deputy Commissioner?—I think two appeals are sufficient.

26586. As one set of authorities has made the assessment, would you approve of an appeal lying to another set of officers, not Settlement Officers, but the Deputy Commissioner and Commissioner?—I do not think the Deputy Commissioner would always be a good appellate officer, but I think the Commissioner would be quite good.

26587. You do not object to an appeal lying to the Commissioner?—No.

26588. Are there irrigated lands in the Central Provinces?—Yes.

26589. Is the irrigation rate consolidated with the land revenue or it is separately assessed?—It has only been during the past few years that there have been any Government irrigation works, and at the present time the assessments are entirely separate from the land revenue.

26590. Is it fixed, or does it vary with the nature of the crops grown?—At the present time it is purely tentative, and it has only been going on for the last few years, so that they have been groping round for the best system of levying the rate, and no fixed system has been introduced.

26591. (*Sir Frederic Lely.*) With reference to your proposal as to the residence of Sub-Divisional Officers, would it not be better still in isolated

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headquarters if a small house were provided for an officer with simple furniture, and if he were expected to go out and pay visits there even during the five months of the monsoon?—I think so. I think with regard to these extremely isolated subdivisions, it is very detrimental to the work and the health of the officer to keep him out there isolated for the whole of the twelve months. Occasional visits during the rains and permanent residence during the open season are necessary.

26592. (*Chairman.*) You say that you think the control of the Revenue and Agriculture Department is too detailed—or what particularly are you thinking?—I was inclined to think that during the past few years they had issued more instructions in regard to revenue matters than had been the practice perhaps in the past, and that there undoubtedly was a general impression throughout the provinces that were visited by me that the Revenue and Agriculture Department had done more in the shape of trying to insist on proposals to Local Governments than had been done in other departments.

26593. Can you give any particular instances of that?—It is a question of men more than principle, and the idea generally was that the Revenue and Agriculture Department had for some few years past been manned largely from the Punjab, and that Punjab proposals had been sent round by the Government of India for adoption in other provinces to which they did not particularly apply.

26594. Did the Government of India insist that their suggestions should be acted upon?—I think not.

26595. It was merely a suggestion that it might be a good method to adopt?—Yes, not generally further than that.

(*The witness withdrew.*)

Mr. K. S. JATAR was called and examined.

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26596. (*Chairman.*) You are Deputy Commissioner at Akola?—Yes.

Deputy Commissioners may be given the following powers:—

(*a*) To acquire lands for public purposes under the Land Acquisition Act I think without reference to higher officers, and (*b*) to reduce rents for lands acquired for public purposes and to pay compensation in cases where the amount of compensation to be awarded exceeds even ten times the rental. The powers of Collectors or Deputy Commissioners under the Land Acquisition Act appear to have been unnecessarily limited. Except in cases where the land can be acquired by private negotiation, and the amount of compensation awarded is less than ten times the assessment, a reference has always to be made to the Local Government. The land under cultivation, at least in Berar, is getting dearer and dearer. The assessment is not high and in a large majority of cases private negotiation is not found practicable, and the amount of compensation to be paid is ordinarily very high. The villages are growing in size, and population is increasing, and with it the general needs of villages, and it is found that while assigning lands for public purposes at the time of revenue survey and while granting waste lands for cultivation afterwards, due consideration has not been paid to the future increasing wants of land for public purposes. The result is that cases of acquisition have frequently to be opened. These cases are very often delayed owing to the references which have to be made to the Local Government. Sections 4 and 6 of the Land Acquisition Act require that notifications should be published in the Gazette before proceedings are taken up to acquire land. The other day land was urgently wanted at Akola by the Great Indian Peninsula Railway for a siding required for a mill which is being constructed and also for opening new crossing stations. Nothing could be done for nearly two months in spite of repeated reminders from the Railway Engineer. The Deputy Commissioner has power to acquire land, and he may be trusted to determine in what cases recourse should be had to the provisions of the Act for compulsory acquisition. One of the objects why the notification in the Local Gazette is necessary is probably to give publicity, but the Deputy Commissioner has several means at his disposal to make his proposals widely known. Rule 21 framed by the Local Government requires that the sanction of the Commissioner should be obtained for reducing the rent of the land acquired. This appears to be quite unnecessary. The work would be much simplified if the Deputy Commissioner is authorised (1) to determine what the proper public purposes are for acquiring land, (2) to pay compensation at the rate prevailing in the market, and (3) to reduce the rental.

Section 39 of the Land Revenue Code requires that the Commissioner's sanction should be obtained to appropriate land set aside for one special purpose to another. The general experience is that the proposals of the Deputy Commissioner are accepted, and hence the reference to the Commissioner appears to be unnecessary.

The Deputy Commissioner should be able to advance loans under the Agriculturalist Loans and Land Improvement Acts to the extent of Rs. 5,000 at least in each case, and to extend the period of recovery to 30 years without reference. At present a Deputy Commissioner can give loan to the extent of Rs. 500 only, and he must recover the amount within 20 years. This comes in the way of granting loans to big cultivators and the matter is delayed. Applications for loans for large amounts are few, but that does not show that the necessity does not exist. The restrictions give rise to a belief that large loans are not encouraged by Government.

Under the Berar Patels and Patwaris Law also the powers of Deputy Commissioners have been unnecessarily curtailed. The Deputy Commissioner is the officer on the spot who could easily determine whether the rights of different *watan*-holders or their families are so evenly balanced as to justify the introduction of rotation among the office-holders, and the references to Commissioner under the section quoted in the heading are quite unnecessary particularly because appeals are often preferred in important cases. Some of the villages in Berar are very small, and the small emoluments of the village officials are not sufficient to attract qualified candidates. In such cases the Deputy Commissioner should be given the discretion to exempt *patels* and patwaris from the prescribed educational qualifications.

The Deputy Commissioner has to obtain sanction in cases where he has to appoint clerks getting Rs. 25 and above and has no power to transfer higher officers like tahsildars and naib-tahsildars even within the district. Selection for promotion among clerks should be carefully done, and the Deputy Commissioner has the opportunity of knowing the qualifications of every one of his subordinates. The necessity of entering into a long explanation for supersession of incompetent subordinates naturally prevents some District Officers from making suitable selection. So long as there is a right to appeal no restrictions are wanted. At present if a naib-tahsildar has to be transferred, because he does not agree with his tahsildar or for similar reasons, the Deputy Commissioner has to make out a case and send it up to higher officers. The appointments of tahsildars and naib-tahsildars should rest entirely in the hands of the Commissioner. The Commissioner knows the right sort of people in the province and can very well make his selections. A Deputy Commissioner should also have greater powers about appointments and transfers of subordinates in the Police, Forest, Medical and Educational Departments.

The Deputy Commissioner is not authorised to appropriate savings from the provincial district budget under one major head to meet the excess expenditure under another major head, *i.e.*, transfer of grants from land revenue to law and justice. He cannot also transfer allotments under contract

contingencies from one class to another, *i.e.*, land revenue to excise or excise to stamps, &c. The power to transfer such allotments may be delegated to the Deputy Commissioner.

Any change, temporary or permanent, proposed in an office requires the sanction of the Local Government. The power of sanctioning permanent appointments, the pay of which does not exceed Rs. 50 per mensem, may be vested in the Commissioner, and the Deputy Commissioner may be empowered to sanction temporary appointments, which do not involve additional expenditure of Rs. 500 per annum for a period of two years, a special fund being placed at his disposal for this purpose if necessary.

I am not in favour of curtailing the right of appeal in any cases.

It is not the tendency of the Central Provinces Government to regard matters too much from a purely departmental standpoint, nor is it too impersonal and too much dominated by considerations of revenue. But the old Berar Government was too much influenced by considerations of revenue, and the defects in the administration caused by the policy of the old Government have not yet been removed. For instance, in the matter of settling the emoluments of village officials too much consideration was given to the revenue coming from the particular villages for which the *patels* and patwaris were appointed. The same scale was made applicable to rich and poor villages without regard either to the dignity or the responsibility of the officer. In villages yielding small revenue the *patel* often gets a trifle though he has to look after a large population. His emoluments are in some cases less than the remuneration of his subordinates, the *jaglias* and *mahars*. So also in the case of giving out plots for habitation from building reserves in municipalities and particularly in the matter of giving permission to build houses in land outside large towns too much attention is paid to revenue. The question of sanitation does not receive the consideration it deserves. The result is that large towns are over-crowded and get very insanitary. The third instance is about forest revenue. The principle that lands yielding sufficient amount of grass for the plough-cattle should be assigned for free grazing is admitted, but it will be found that only such rocky lands where cultivation is impossible have been generally left for these purposes.

The Commissioner has hardly sufficient opportunities to express his views in important matters with the Departments other than Land Revenue, and his views do not receive sufficient consideration. The Heads of Departments correspond direct with the Secretariat and the District Officers correspond direct with the Heads of Departments, and the Commissioner is often in the dark as regards important pending questions and it is left to the pleasure of the Heads of Departments whether to consult the Commissioner or otherwise. No important case should be submitted for orders without consulting the wishes of the Commissioner.

Executive Officers have not sufficient opportunities for personal contact with the people. The principal obstacles are under (1) excessive writing work and (2) want of social intercourse. If private gentlemen come to call, officers have no time to enter into free conversation, and at the time interviews are granted officers are often thinking of their files and cases and time. People begin to think that their calls are a burden on officers and the result is not satisfactory. The idea of many officers is that granting interviews to the people is a piece of strict official business. Executive Officers as a rule possess sufficient knowledge of the vernaculars.

I do not think any general increase in the administrative staff is required, though a few officers are overburdened with work. A general reduction in the areas of the Berar districts is urgently called for. The districts have become unwieldy and a District Officer is not able to have that local knowledge of the conditions and people of all parts of the district which is essential for efficient administration.

The frequent transfers of officers are a great obstacle to any improvement in the administration. Within the last 20 years there were no less than 30 transfers of Deputy Commissioners at Akola. The transfers of Assistants are even more frequent. Since July, 1904, I held charge of two of the three sub-divisions in Berar twice and of the third once, and of two districts. The number of transfers could be minimised by fixing the pay of each post. Owing to the salary of officers being personal they can be sent to any station at any time. If the pay of a certain post is fixed, only officers of one grade will be sent to the station. There should be a rule that an officer who has not served at a station for at least three years should not be transferred.

Generally municipalities have sufficient powers of control though occasionally it is found that there is too much interference from District Officers. In the present condition of the Committees the powers of supervision granted to District Officers cannot be curtailed, and it must be left to the District Officer to use discretion in interfering. The present complaint in Berar is that members of local bodies do not take sufficient interest, and the reason usually assigned is that the members have no powers. I should recommend the granting of the following powers and functions by way of experiment to selected municipalities:—

(1) To recover municipal dues by distress and sale of moveable property of the persons instead of sending requisitions to Magistrates;
(2) To grant sites in municipal area and to recover all income of these sites;
(3) To impose fines in municipal cases;
(4) To sanction and execute works up to Rs. 5,000 without obtaining sanction from local officers; and
(5) To appropriate funds from one major head to another so long as the budget grant is not exceeded.

District and Local Boards have got ample powers, but except the office-bearers, *i.e.*, Secretary and Vice-Chairman and Chairman, the members take very little interest. If the duties are properly divided and responsibility fixed on each member more interest will perhaps be taken. These bodies also may be permitted to sanction and execute works to the extent of Rs. 5,000 without sanction. At present the surplus cattle-pound receipts and the bazar revenues are credited to the District Board, but the District Board have no control over the management of bazars and pounds. The powers of appointment and dismissal of pound-keepers may be transferred to the Board and the management of bazars may also be entrusted to that body.

I think the time when Advisory or Administrative Councils would be formed has not yet arrived. It is at present impossible to secure the services of gentlemen who will have both the ability and the will to give the necessary assistance. Our District Boards as at present constituted are, in fact, Administrative Councils, and if their powers are slightly extended and if by the growth of education they come to understand their own responsibilities, they will be able to assist the District Officer in much of the local work, and no further steps need be taken at present in the direction of creating Administrative Councils. District Officers do, as a matter of fact, try and seek advice from influential native gentlemen of the district in important matters, but the kind of advice which is wanted is very difficult to secure, because most of the respectable people possessing stable interests are either not well informed or do not possess the necessary public spirit. If it is made compulsory for a District Officer to consult a certain body of people formally there is a chance of increasing the delay in business. I would not therefore suggest the formation of a formal body of advisers. The Deputy Commissioner knows the good men of his district who are capable of giving him advice. At present a record is not always carefully maintained of the names of men capable of giving assistance and advice, and though in the handing over memoranda some officers keep some notes, it is often difficult for District Officers to get such help when they are new in a district. All that is at present necessary is to keep carefully prepared lists of influential men able to give help in the shape of

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sound advice in important matters, which may be revised every three months by personal inquiries. If these lists are carefully prepared and revised from time to time, and if District Officers keep free relations with the gentlemen whose names have been included in them and of others of their position and standing, no further action would be necessary.

To place District Boards under Municipal Committees or *vice versa* would give rise to considerable difficulties. To place the powers of control of establishments in the hands of Deputy Commissioners as hitherto is not desirable, because the local bodies are apt to forget their own responsibilities. I would therefore propose a small body being formed in a district for which influential and experienced members may be nominated by all District and Local Boards and Municipal Committees, and the control of all establishments of local bodies may be placed in the hands of this body.

In every village a panchayat (committee) should be formed experimentally, consisting of 5 to 10 members, according to the size of the village. The committee should be fairly representative, care being taken to include members of different castes and religions. These committees may be given control over schools and entrusted with powers to settle civil disputes up to the value of Rs. 25, and petty cases of assault, and cases of nuisance and theft of crops to the value of Rs. 10 from fields. They may further be entrusted with the work of village sanitation and empowered to raise funds sufficient to defray the expenses of sanitation. These panchayats should be placed directly under the control of the District Boards. At present panchayats are held among members of some castes and they are sometimes found to promptly dispose of intricate questions which, if referred to the Courts, would generally remain long pending.

26597. You say that power might be given to Deputy Commissioners to acquire land for public purposes, without reference to higher officers; have you any powers at all in that respect at the present moment?—Yes. If it can be acquired by private negotiation, and if the amount to be paid is less than ten times the land revenue, I can acquire without reference to any higher authority.

26598. No matter how much the tract of land is, can you spend the necessary sum, if it is to be acquired privately?—Of course the budget will have to be sanctioned and the amount obtained.

26599. Had you ever had occasion to desire more power?—No, I personally have had no occasion, but Deputy Commissioners have, for railway purposes.

26600. Are you President of a Local Board?—I am President of the District Board at Akola.

26601. Do you carry out, as President of the Board, any works on behalf of the District Council, or is that the duty of the tahsildar?—It is done by the District Board agency. We have a local fund supervisor, and overseers under him, and the work is executed by the local body.

26602. Supposing the District Board wants to carry out a work costing over Rs. 500, who does it?—The Executive Engineer. We send it to the Executive Engineer, and he gets it done by the District Engineer or the supervisor under him.

26603. Is it not done by the tahsildar?—No, unless it is a work costing less than Rs. 200. The tahsildar does the work up to Rs. 200 and between Rs. 200 and Rs. 500 the local supervisor does it under the direction of the District Board.

26604. Are you speaking only of Berar?—Yes.

26605. Does the practice in Berar differ from the practice in the Central Provinces?—Yes.

26606. Do you find the system which obtains in Berar works well?—Yes.

26607. You want some further power to grant loans under the Land Improvement Act, up to Rs. 5,000. What is the largest application for a loan which has ever been made to you as a Deputy Commissioner?—A thousand rupees.

26608. And you sent that to the Commissioner?—Yes.

26609. How long did it take to get the Commissioner's sanction?—About two months. The loan was for an embankment.

26610. Did it make much difference whether the money was paid down at once or whether there was delay in getting it?—No; but it might on some occasions postpone the work.

26611. What is about the general size of loan which is applied for under these Acts?—The average is about Rs. 300 for land improvement loans, and about Rs. 150 for agricultural relief loans.

26612. Generally speaking your powers are sufficient, but every now and then you get demands which are beyond your powers?—Yes.

26613. With regard to the appointments and transfers of subordinate officers, what are your present powers?—I have power to appoint subordinates up to Rs. 25, and above that I have to obtain the sanction of the Commissioner.

26614. With regard to transferring or posting naib-tahsildars, what powers have you?—None; I have to refer to the Commissioner always.

26615. Would it be convenient for you to have power?—I think so, within my own district.

26616. Does the Commissioner generally accept your recommendations?—Ordinarily he does; he sometimes objects. Generally in 75 per cent. of the cases he accepts the recommendation.

26617. Are you Chairman of the District Board at Akola by virtue of your office or are you elected?—I am Chairman by virtue of my office.

26618. How do your work your District Board—by committees?—No, we have no committees except what is called a School Board.

26619. Do you prepare the budget?—The Vice-Chairman prepares it and brings it to me for approval. It is then formally passed at a meeting.

26620. When do you show it to them first?—On the same day that they come in to discuss it. In fact the whole thing is formally done before it is placed before them.

26621. Do you practically do the whole work of the District Board?—No, the Vice-Chairman does it. I do only the Public Works portion of it.

26622. Is the Vice-Chairman an official or a non-official?—He is a non-official.

26623. How long does the work take him?—From one to two hours each day.

26624. Do you travel about much over your district?—Yes; for three or four months in the year.

26625. Does that enable you to see the district fairly well?—My district is very large, and I cannot go to as many parts of it as I would wish. It consists of six *taluks*, about 4,000 square miles, and a population of 754,000.

26626. Supposing there was a non-official Chairman in your place, would it be possible for him to get over the district in the same way as you do?—I do not think so; and a non-official would ordinarily have no occasion to go out, while I have to go out to do my work.

26627. What language is spoken in Berar?—Mahrathi.

26628. Are you a Berar man yourself?—Yes.

26629. When a District Board employee has to be dismissed, can you dismiss him, or do you refer the matter to the Board?—I refer it to the Board.

26630. Has he any right of appeal?—He can appeal to the Commissioner.

26631. Is there any appeal afterwards from the Commissioner?—I do not know.

26632. Supposing there was a further right of appeal beyond the Commissioner, would you curtail that right and give the Commissioner full power to confirm or reverse the dismissal, or is it necessary to go beyond the Commissioner?—I do not think it is necessary in the case of District Board officials.

26633. Do you look after the schools in your district?—Yes, I do. For the primary schools the District Board pays two-thirds, and the provincial revenues contribute one-third. In municipalities the municipalities pay two-thirds.

26634. Have you anything to do with the municipality?—Yes; I am the Chairman of the headquarter municipality at Akola.

26635. Have you any secondary schools?—Yes, they are Government schools.

26636. Could you hand the primary schools over to something like a panchayat?—We have School Committees, which look after things, but the Board has to pay.

26637. If you started panchayats would you confine them to a single village or a group of villages?—In the big villages I would confine them to the village, but with regard to smaller villages I would have a group of from three to five.

26638. What would each village contain in population?—An average of 500.

26639. Then would you have a School Committee and give to the panchayat of such a group of villages supervision over the school?—Yes.

26640. Would you give them the management of the roads within the group of villages?—That would have to be settled by the District Board, but supervision might be given.

26641. Would you hand over sanitation matters to them?—Yes.

26642. And small petty civil and criminal cases?—Yes.

26643. (*Mr. Hichens.*) Are the Local Boards in Berar partly elected and partly nominated?—Yes. About one-sixth of the members are nominated. The rest are elected.

26644. Are there any District Boards in Berar of which the Chairmen are non-official?—No.

26645. Have you ever had experience of any Board where the Chairman has been a non-official?—No.

26646. How would it work in Berar if the Chairman were a non-official?—I do not think we should be able to get the men, and there would be other difficulties. The official has generally greater control over the executive staff.

26647. How much money in round figures in the year do you spend on roads?—Rs. 15,000 to Rs. 17,000.

26648. That is for a district of 4,000 square miles?—Yes.

26649. Is that not very inadequate?—Yes.

26650. What proportion of the roads do the Public Works Department undertake?—All the important roads are dealt with by the Public Works Department. We look after the smaller village roads, and construct a few roads between important villages.

26651. Is the number of smaller roads pretty substantial?—Yes.

26652. You are aware that in this division there has been appointed a Divisional Engineer, whose business it is to look after the District Board work. Do you think that will work well?—Yes.

26653. In that case might all the roads be put under the District Board, Government roads as well as District Board roads?—I would not give them charge of all the roads because it would be too much for one official; he would not be able to attend to it efficiently.

26654. Even assuming that he wanted an assistant, would it not possibly be more economical to have one staff to look after all the roads than two?—If he is provided with a sufficient number of assistants, that might be possible.

26655. The assumption would be that the same total staff would be provided as is provided to-day, and if that were done, might not the roads be taken over by the District Board?—Yes, I think so. Government would have to provide a substantial contribution.

26656. Ought Government to provide additional funds not merely for roads which it would hand over, but extra funds for the general work of the District Board?—Yes.

26657. Is veterinary work under your District Board?—Yes. Our dispensaries are very new and the work has not been fairly started.

26658. Do the members of the Board exercise any supervision or control over it?—No, they do not understand it much.

26659. Would you favour that work being taken away from the District Boards and given back to the Government?—No, I would not. In the course of time they will be able to do it.

26660. Have the Board any inspectors of their own for dealing with veterinary work?—They are under Government.

26661. If the inspectors were placed under the Board and reported to them and they were able to send inspectors where they wanted to, would they take more interest?—Eventually they may take interest.

26662. Is it worth while keeping the work under the District Board on the chance of encouraging them later on to take more interest in it?—Yes.

26663. Would you say the same thing with regard to vaccination work?—Yes.

26664. You are not in favour of Advisory Councils?—For District Councils I am not.

26665. What is your reason for objecting to them?—Because there would sometimes be delay.

26666. In your district, are there a large number of questions of general policy which you could submit to them?—Not a very large number. I can now consult any one informally, and I do consult people at present, whereas if I had a Council I should be bound down to consult a particular set of people who might not be able to attend meetings when required.

26667. And possibly with some officers it might have the effect of confining their consultations instead of widening them?—Yes.

26668. (*Mr. Dutt.*) Are the tahsildars of Berar generally men of high character and satisfactory on the whole?—Yes, latterly; especially those who have been appointed during the last three or four years.

26669. Tahsildars are now appointed by the Government?—They are appointed by the Chief Commissioner. I suggest that tahsildars and naib-tahsildars should be appointed by the Commissioner instead of the Chief Commissioner. As a matter of fact the Chief Commissioner now only appoints on the nomination of the Commissioner, so that the work would be simplified.

26670. Is it on the whole better for the Service that the men should be appointed by the Chief Commissioner on the nomination of the Commissioner, or that they should be appointed directly by the Commissioner?—I do not think there would be any difference.

26671. Would not the people themselves prefer them to be appointed by Government than by the Commissioner of a division?—I do not think the tahsildars would mind at all.

26672. You say that at present the power of transferring these officers rests with the Commissioner, and you want to give the power to the Deputy Commissioner?—Within his own district.

26673. Keeping at the same time the power of transferring them from one district to another in the hands of the Commissioner. So there would be two officers empowered to transfer them, the Commissioner in his own division and the Deputy Commissioner within his own district?—The Commissioner of course would have to consult the Deputy Commissioner as to transferring a man from one district to another; in one case he would do it himself, and in the other case the Deputy Commissioner would do it with the sanction of the Commissioner. If a Deputy Commissioner did not want a tahsildar to remain in his district, he would write to the Commissioner and ask for his removal.

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26674. If power was given to the Deputy Commissioner, transfers of tahsildars might be a little too frequent?—No, I do not think so.

26675. You say when you recently wanted to transfer a naib-tahsildar you had to write an "unnecessary" report to convince the Commissioner of the necessity of a transfer, but might there not have been some necessity for writing that report in the interests of the Public Service?—I simply wanted to change him to another station, and there was no necessity for troubling the Commissioner about the matter; I could easily have sent him from one place to another in my own district without any correspondence.

26676. You speak of subordinates in the Police, Forest, Educational and Medical Departments; those officers are not directly subordinate to the Deputy Commissioner?—No; they belong to the several departments.

26677. Do you suggest that the power of transferring them should also be vested in the Deputy Commissioner?—Yes.

26678. Would there not be some incongruity in your transferring men of other departments?—Within my own district, no; they are under me; police inspectors and masters of schools are under me, so that I do not see that there could be any objection.

26679. Would not the heads of those departments object to your transferring officers, belonging to those departments, without consulting them?—They need not object.

26680. Has your District Board power to open schools without obtaining your sanction?—No, I do not think so.

26681. As Chairman would you be present at a meeting where a proposal for opening a new school was sanctioned?—Yes.

26682. Does that again have to come to you as Deputy Commissioner for your sanction?—Yes.

26683. Although you are Chairman of the District Board at which the resolution was passed, it has to come to you again for your sanction; is that necessary?—But I might not be present at some meetings.

26684. Might the District Board be empowered to pass final orders with regard to the opening or closing of a school?—I see no objection to that.

26685. Supposing primary schools were made over to villages, or village panchayats, or some village bodies, would it be possible for a District Board to make a grant-in-aid, and ask the villagers to support the institutions; would the villagers agree to that?—No, they would not.

26686. Are there any villages in which that system might be tried?—There are a few where I would like to try the experiment.

26687. If that system was generally followed might the number of schools be largely increased?—I do not think it would largely increase the number of schools.

26688. (*Sir Frederic Lely.*) You know what is meant by the sub-divisional system?—Is that now established in Berar?—Yes.

26689. What are your rules for touring?—I have to be out for four months, as Deputy Commissioner.

26690. What time has the Assistant Commissioner to be out?—Not less than two months; but an Assistant Commissioner who is in charge of a sub-division is expected to be out throughout the camping season, that is, from the 1st November to the 31st May.

26691. Then you are expected to tour more than an Assistant Commissioner?—Yes, because my Assistant Commissioner will tour only through two *taluks*; I have to tour through six *taluks*.

26692. How do you travel?—On horseback; the kit is carried by camels.

26693. If all the roads were taken over by the District Board, would the Government Executive Engineer have enough to do?—No, he would not. He would only have buildings to attend to.

26694. Would you approve of an arrangement by which the small amount of Government work remaining might be done by a Divisional Board Engineer on receipt of a commission?—No, I would not hand over any Government buildings to the Board.

26695. (*Sir Steyning Edgerley.*) Does the District Board make a contribution towards the upkeep of the roads which the provincial Engineers look after?—No, not for Government roads.

26696. What is the size of your tahsils in Berar?—About 275 villages. That would be about 800 square miles.

26697. Is the charge too heavy?—Yes; in four of the *taluks* the charge is too heavy.

26698. How many tahsildars do you think you ought to have in your district?—I think six are sufficient, but they might be relieved by the naib-tahsildars having more powers.

26699. Would you prefer that to breaking up the *taluks*?—Yes, I should not break up the *taluks*.

26700. You say that certain administrative reforms have been introduced into the Police Department which may tend to uniformity, but you doubt whether they will suit local conditions; to what do you refer?—They have stopped the forwarding of copies of police diaries. Police sub-inspectors used to submit copies of diaries in every case; now the idea is that they need not render copies of these diaries to the District Superintendent of Police. It is changing the way in which the official work is done, and they are changing the *Modi* character in which the correspondence is at present conducted in favour of the *Balbodh* character.

26701. You have so far done it in the *Modi* character and they are introducing Hindi?—Yes. The reason is that they say it can be more easily written and more easily read.

26702. Is that being done by the Inspector-General of Police?—Yes.

26703. (*Mr. Meyer.*) Is the Deputy Commissioner always Chairman of the District Board in Berar, and is that under the provisions of the law?—The law permits a non-official Chairman, but we cannot get anyone who will do it.

26704. As a matter of fact, the Deputy Commissioner is always Chairman?—Yes.

26705. You say the members are elected; how are they elected?—We have a list of electors comprising the people who pay so much in taxes who are eligible to vote.

26706. You have not the system they have in the Central Provinces proper of the village headman electing one portion and the commercial classes another and so on?—No.

26707. Have you Local Boards?—Yes, we have *taluk* Boards.

26708. Are they elected too?—Yes.

26709. In the same way as the District Boards?—The *taluk* Boards elect members of the District Board.

26710. Then the direct election is to the *taluk* Board and the *taluk* Board elects the non-official members of the District Board?—Yes.

26711. Is there a Chairman for each *taluk* Board?—Yes.

26712. Is there a Vice-Chairman?—Yes, generally a non-official.

26713. What sort of work do the *taluk* Boards do?—They look after the schools and bazars and buildings.

26714. It is the same sort of work as that of the District Board?—Yes.

26715. Have they special funds of their own or do they get simply what the District Board chooses to allot them?—They only get what the District Board allots them.

26716. Have they any discretion in applying the funds, or does the District Board say, "We want such and such schools kept up" and so on?—They have their discretion. In fact allotments are made in proportion to their requirements.

26717. Have you in Berar a regular cess of one anna in the rupee which goes to the District Board?—Yes.

26718. Would you be in favour of giving the *taluk* Boards any share of that?—I should be in favour of paying the whole to the District Board and allotting to the *taluk* Board what is necessary.

26719. Who manages the dispensaries?—We have appointed Dispensary Committees which work under the guidance of the Civil Surgeon.

26720. The District Board merely contributes, and has nothing to say to the management?—Nothing.

26721. In regard to sanitation, what happens?—The *taluk* Board looks after sanitation.

26722. Have you special sanitary officers for the purpose?—No.

26723. In the Central Provinces proper there is a sort of sanitation fund in the larger villages, and they are allowed to levy a small tax for sanitary purposes; is there anything like that in Berar?—We have sanitary funds in a few villages in Berar, but they only raise sufficient money locally for the cleaning of latrines, nothing else.

26724. Does that system work well?—It depends on the tahsildar; if he is a good official he looks to it and gives the necessary supervision. It works well, but the people in the villages do not like raising money for these purposes.

26725. Who does the committee consist of?—Generally cultivators, and a few money-lenders; they elect themselves.

26726. Is the committee generally satisfactory?—In two or three instances they are very satisfactory.

26727. Is the headman the president?—Yes.

26728. Are there many of these villages?—Very few.

26729. Outside those villages does the District Board or the Local Board exercise any supervision over sanitary matters?—Practically they simply carry out the suggestions of the Deputy Commissioner, tahsildars, and Civil Surgeon.

26730. In the Central Provinces there is a system, when a village wants a tank for instance, that the Board finds half the money and the villages the other half?—That is so sometimes.

26731. Does that work satisfactorily?—Yes, it does.

26732. What is the present limit of the powers of District Boards and municipalities with regard to sanctioning works?—Rs. 500; anything above that goes to the Commissioner or Deputy Commissioner.

26733. The Commissioner passes the budget and deals with the administration report?—Yes.

26734. Does he appoint the nominated members?—Yes.

26735. Would you give the Commissioner the general power of outside control which it is necessary for the Government to keep?—Yes.

26736. Except the actual constitution or abolition of a local body?—Yes.

26737. Are all your districts in Berar divided into sub-divisions?—Yes, now; since the amalgamation.

26738. Where do your Sub-Divisional Officers live?—In three instances they live outside the headquarters; in all others they live at the headquarters.

26739. Do you think that is a good system?—I should like to have one or two more Sub-Divisional Officers living outside.

26740. How many Sub-Divisional Officers have you in the average district?—Three.

26741. Would a Deputy Commissioner find it too much to control three Sub-Divisional Officers?—It is not only the controlling, but the general administration work is heavy.

26742. Do your Sub-Divisional Officers hear magisterial appeals?—Yes, the three officers who live outside; in other cases the appeals go to the District Magistrate.

26743. Cannot all Sub-Divisional Officers hear appeals?—They might.

26744. Do you see the calendar of cases dealt with by your subordinate Magistrates?—Yes.

26745. Does the Sub-Divisional Officer also?—The three officers outside do.

26746. What do you see in the shape of a calendar; do you see the judgments?—I see the sentence and the nature of the case, and if I find a case of sufficient importance I inquire further into it.

26747. Does the Sub-Divisional Magistrate send you a copy of his judgment?—Not unless I send for it.

26748. Do you think it might be advisable if you saw the judgments?—I can do that by looking at the calendar.

26749. But the calendar merely gives you the nature of the offence and the punishment?—It gives the nature of the offence and the facts in brief; that is sufficient.

26750. Would you be in favour of a Commissioner posting Assistant Commissioners and Extra-Assistant Commissioners within his division?—Yes.

26751. In regard to revenue matters, have your Sub-Divisional Officers generally the powers of a Collector under your local Act?—Yes.

26752. Where there is an appeal against their order, to whom does it go?—To me.

26753. Has the union of Berar with the Central Provinces in your opinion decreased the general powers of the Commissioner there?—I think so, materially.

26754. You mention that previously he controlled all the departments within Berar?—Yes; all the Heads of Departments used to write to him.

26755. As regards his powers of sanction and appeal and so forth, has any material alteration been made?—No.

26756. You speak of the District Officer consulting with persons whose opinions he may think it advisable to take in various matters; do you keep what is known in Bengal as a darbar list?—Yes.

26757. On those lists do you write your notes as to the character of a man, and his fitness for consultation on public matters?—No, those lists are made only with a view to men being presented to the Chief Commissioner when he comes.

26758. Have you no regular system of receiving from your predecessor a record of the principal non-officials of the district and of matters in which they might usefully advise?—There is no formal system, but we keep notes.

26759. You think that the Deputy Commissioner should be able to take up land without reference to Government? Does not the question of compulsory acquisition sometimes raise a good deal of protest?—Yes, it does.

26760. Is it not possible sometimes, for instance, that land is taken up in which religious communities are interested?—Yes, but they may appeal in that case.

26761. You say that the Commissioner's sanction has to be obtained with regard to the appropriation of land from one special purpose to another—what sort of special purpose do you mean?—If a certain field has been reserved for grazing and general purposes and I wanted a portion of it for a village site, I have to obtain the sanction of the Commissioner.

26762. You speak of the introduction of rotation between *patels* and others — are those hereditary officers?—Yes.

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26763. And they take turns in discharging the duties of a village headman or otherwise?—In a few cases.

26764. How long are their turns for?—Not less than ten years.

26765. That is to say if you have two or three rival families you compromise between them by saying that one family shall have the post for ten years and another family for the next ten years?—Yes.

26766. Who selects?—The Deputy Commissioner.

26767. Are you bound by strict primogeniture?—Yes.

26768. You are bound to select the eldest male, although he might have a younger brother more competent?—But there is an educational standard of fitness prescribed.

26769. But still two people may have passed the standard, and one may be better than the other?—We generally give it to the elder brother unless he is unfit.

26770. Does the law oblige you to do that?—Yes.

26771. Would it be desirable that you should have a freer hand to pick out the best qualified member of the family?—If a man has passed the required standard, the fourth standard, it is sufficient for our purpose.

26772. You are content with the present system, except in regard to the matters you have mentioned?—Yes.

26773. Do appeals as to hereditary right go up to the Chief Commissioner?—Yes.

26774. Is it necessary that the Chief Commissioner should have to decide those things?—I think there should be no change made.

26775. You say you can only appoint clerks up to Rs. 25?—Yes.

26776. What is the highest appointment in your office?—Rs. 200; the head clerk and the clerk of the court and others might be appointed by the Commissioner.

26777. How far would you wish your own power of appointment to go?—Up to Rs. 100.

(*The witness withdrew.*)

MR. A. B. NAPIER was called and examined.

Mr. A. B. Napier.

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26778. (*Chairman.*) You are Deputy Commissioner of Nagpur?—Yes.

In matters of revenue I do not, as a Deputy Commissioner, desire any greater powers. The collection of land revenue is in normal times a mere matter of rule, and in abnormal times the Deputy Commissioner can always act on an emergency. As in the estimation of the degree of distress the personal element comes in very strongly, the second opinion of some co-ordinating authority to discount this personal element is most necessary.

In case of income-tax I should welcome centralization; the matter of assessment is now becoming too complex, and Deputy Commissioners and their Assistants have no time to assess business firms successfully. There should be trained inspectors to assess, but the appeals could go to the Deputy Commissioner as now.

The present chief defect is the way in which appeals from Assistants, with the revenue powers of a Deputy Commissioner, go outside the district. I have under the Land Revenue Act unlimited powers of revision over the work of my Assistants, but I do not hear the appeals. The defect is that I am not in touch with all their work, and often these revenue cases tell one a great deal about what is going on in the district.

Another matter has come much to the fore lately, viz., the grant of prospecting licenses for minerals. The Government of India is not averse to the delegation of powers in this matter, but hitherto powers have not been delegated in the Central Provinces and a great deal of delay has resulted.

I do not think that Sub-Divisional Officers are anxious for many more powers. A Deputy Commissioner in self-defence gives them all the power he can, and practical delegation is done in the way in which a Deputy Commissioner passes the work of a trusted officer. Actual power of delegation of any duties might be given to a Deputy Commissioner with reservation of the power of appeal.

The present rules for contingent expenditure are such that no business firm could tolerate for an instant. The only satisfactory solution of the question would be to make all contingencies contract contingencies. The Deputy Commissioner should get a lump sum down and spend it as required, but if he ran short before the end of the year he should be made personally responsible, unless he made out a good case for an increased grant. To avoid wasteful expenditure at the end of the year savings might be added to the next year's grant.

In most districts the powers of appeal in administrative matters are not abused. In fact appeals have been very few to my recollection and very unsuccessful. If officers only take the trouble to write an intelligible order it has not been my experience to find Commissioners desirous of rejecting the view of the man on the spot. If appeals were not allowed, the parties would proceed by miscellaneous petitions which give just as much trouble, or more, as they are usually couched in extravagant language in order to attract attention.

I think the Education Department is somewhat too uniformly managed to meet the varying requirements of different localities.

I have at times considered that the Secretariat has been run on somewhat academic lines, but not of late. Latterly it has been a custom to recruit the Secretaries from among District Officers, who actually know how things work out in practice. The real trouble is in the Secretariat with its crowd of well-paid clerks thinking that processes which seem simple there are equally simple to the less competent men we get in district and *tahsil* offices. I have never found the Central Provinces Secretariat too much dominated by questions of revenue; the idea seems always to have been to progress and to trust to progress to bring its increase in revenue.

On the whole, departmental officers have shown themselves most ready to consider representations from District Officers, and presumably even more weight is given to the views of Commissioners.

Until I reached Nagpur I always found plenty of opportunities for personal contact with the people, but since I have been here the routine duties have been so heavy that such opportunities have been largely diminished. The Deputy Commissioner, Nagpur, sees a great deal of a certain class—the residents of Nagpur of respectability. A day does not pass hardly without my seeing three or four of them, but the difficulties of getting out into camp are enormous. In Raipur, besides finding time for holding open cutcherry to all petitioners, small and great, after 4 or 4.30 about four days a week, I was out in camp for the greater part of the six months possible. In Nagpur about two months spent in actual camp seems the greatest amount possible. The Assistants here have not been in camp as much as I consider desirable. My time is largely taken up with duties which could as well be done by someone else. There are several branches of work of this kind—treasury, mining cases, inspection of Magistrate's daily calendars, stationery indents, inspection of headquarter factories, arms and explosives licenses, presence on certain committees, etc. It would be no good to give these to an Assistant, whose work has then to pass through my hands. What I want is a man who could sign for himself and be responsible for his own work. In Nagpur there should be a Joint-Magistrate to do such work; at the same time he could have Section 30 criminal powers and could hear appeals. He should be a European British subject, so as to be able to try such persons. He should have a special allowance if not graded

as a Deputy Commissioner. In the case of Assistants the deficiency of touring is partly the result of system, but mainly owing to the extra complexity of case work owing to the increase in the number of pleaders.

On the whole Executive Officers have sufficient knowledge of the vernaculars. There is perhaps a tendency nowadays, when all the clerks know English, to less conversational power, but this can only be remedied by giving Assistants a full dose of camping. We probably are not as good as many of our predecessors.

The provision of Assistant and Sub-Divisional Officers is not sufficient. I strongly hold that the area here thought sufficient for a tahsildar is sufficient for a Sub-Divisional Officer, and I deprecate the system of giving two *tahsils* to an Assistant to look after.

The areas of the *tahsils* in Raipur are 1,000, 1,500, 1,900, 3,000 square miles approximately, or the last may be more. If there is to be progress there must be more officers constantly among the people pressing education, forcing on improvements. It is no good talking merely; an officer should have time to wait and see things carried through.

Transfers are not now on the whole too frequent. Nagpur has suffered somewhat in this respect of late, though the transfers could not well have been avoided.

The trouble in the Central Provinces is to get men who will realise that a seat on a Committee or Board means that he is to do work and not merely secure the honour of a chair when he visits an officer. The other day I asked a quite intelligent-looking Local Board member what he did as such. He replied, "Whatever the *hazur* tells me to do I will do." He could not tell me anything that he actually did except attend the meetings. Many do not even do that.

The Nagpur municipality is an honourable exception, and Raipur is beginning to take an intelligent interest in local concerns. No doubt this is the case in many headquarters municipalities, but those in minor towns and the District Councils and Local Boards seem at present rather hopeless. The great trouble is to get them, even when they see the necessity, to pass any measure which may be unpopular, and most of all to levy any taxes. They are not strong enough to bear criticism in anything unpopular. Increase in powers may awaken greater interest and a greater sense of responsibility, but to begin with they must have larger resources. There is a tendency to get most of the money into the hands of the Government, and to grant doles to local bodies as grants-in-aid. There must be local rates; they will be extremely unpopular, but no country can get on without them. They exist at present, but to a very slight degree. In the larger towns they are supplanted by octroi; in the smaller towns we get the *haisiyat* tax, which is a rate proper, and for the District Council we have a nominal Road, Education and Post Cess. The difficulty of the rate is shown in the *haisiyat* tax, which no minor municipality will pitch at the proper figure. The fact that the people can pay rates was shown by the additional rates and Patwari Cess, which were paid without any difficulty. It would be easier to get District Councils to levy rates than municipalities, as their constituencies are wider and the opposition will not be so much concentrated when local bodies get more money; they can get a decent staff and they can do more work.

The submission to the Commissioner of a budget of monthly accounts and of a copy of their proceedings would be sufficient check. Re-appropriations from one budget head to another might be sanctioned by the Deputy Commissioner just to secure that the budget should be a real thing. Incidentally I would get rid of a peculiarly annoying duty of the Deputy Commissioner, viz., countersigning District Council bills for works.

District and Local Boards could have all roads except provincial communications put under them if they had a qualified Engineer with prospects of an increase in pay. They could also be allowed to build light railways.

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The time for Administrative Councils has clearly not come yet in this province. Even as regards advisory Councils, I cannot imagine what subjects could be referred to them which are not referred to the local bodies at present constituted or to special Committees called *ad hoc*. I had a native gentleman talking with me the other day on this subject. He seemed in favour of such a Council and would possibly be a member if one were created, and I asked him if he could name any subject which had come up recently which might have been so referred and which had not been discussed by some committee or other, and he could not do so. A District Officer's duties are mainly composed of details, and it would be hopeless to put them before a Council.

I do not think the supervision of the minor municipalities by the District Board would be useful, and it would cause a lot of friction.

I do not recommend the extension of powers to villages not sufficient in size to be even notified areas under the Municipal Act. For sanitation we have already powers under the Sanitation and Land Revenue Acts, and these are sufficient. The devolution of civil powers to village munsiffs in the north of India has clearly not proved a success. The increase of Honorary Magistrates is to be deplored where the actual work does not prove its necessity. Times and again I have seen petty quarrels magnified into bitter feuds because a Magistrate was too close. If he had not been there everything would have been settled amicably. Touring officers have a great opportunity, and the village panchayats, with sometimes a little assistance, manage these affairs in such a way as to leave no sting behind. Once give the panchayats legal powers and at once they will lose their character as peace-makers and become *hakims*.

26779. What is the size of the Nagpur district?—It is about 4,000 square miles.

26780. In that particular district you have a good deal to do with manganese?—Yes, and it is making a good deal of extra work.

26781. Have you under some new rules power to grant exploring and prospecting licenses?—The Deputy Commissioner may grant exploring licences, but the prospecting licences are not granted by him; power has just lately been delegated to Commissioners to grant them in uncontested cases; contested cases still go up to the Chief Commissioner.

26782. Has that been a considerable relief to you in your work?—It has been a considerable relief to the mining proprietors—I have been getting the sanctions back at once.

26783. And it has saved you to the extent that you have not had to deal with letters and make further appeals to the Commissioner?—I do not find very much relief; I have 500 pending cases at present.

26784. But will you be able to get through them quicker?—I do not know; I am trying my best to get a little system into it, but I have only just come to the district.

26785. With regard to income-tax, you say that the matter of assessment is becoming too complex and that you would like to see a trained inspector; does that only refer to a district where there is a large town?—I am referring more to outside mercantile concerns such as manganese or cotton ginning factories I experienced very considerable difficulty last year in trying to make head or tail of the accounts sent to me. For instance, one party wrote off his expenses the interest on the share capital, but there were other things, which were put in ambiguous terms, and I had not any books and no time to examine into all these cases—they might put down anything they liked.

26786. At all events you think there ought to be a transference of that work from you to a trained inspector?—The actual assessment of income-tax is done by my Sub-Divisional Officers, but for the main part those that come into the office straight are generally sent up to me; one of the Assistants looks at them and sometimes suggests "I cannot make head or tail of them, can you?"

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26787. A suggestion has been made to the effect that Sub-Divisional Officers, instead of residing at the headquarters of a district, should reside a greater part of the year at all events in their sub-divisions; have you anything to say with regard to that?—I am of opinion that the headquarters system is the best, because when a Sub-Divisional Officer gets away into a remote sub-division, he is very likely to get rusty because he has no educated society, and he cannot rub up against the other Sub-Divisional Officers. There were in the past in this province two sub-divisions where the Sub-Divisional Officers resided, and they were often the graves of their reputations.

26788. How many sub-divisions have you in the Nagpur district?—I have only three Sub-Divisional Officers for four *tahsils*, but I should like to have four.

26789. How far are the sub-divisions from Nagpur itself?—Between 20 and 30 miles.

26790. Can an officer who lives 30 miles from his territorial charge do his work well?—I think so, because in the camping season he ought to be in his charge.

26791. Can the people who live in that charge get at him?—Yes, when he is on tour there; they will run in even to Nagpur to see the Deputy Commissioner.

26792. Would they come in 30 miles?—They are always coming into headquarters and travel the distance with comfort. If they have any complaint they come in freely.

26793. Is that no hardship on them?—I do not think it is; that drawback is not nearly so great as many other drawbacks which would occur by a Sub-Divisional Officer living in his *tahsil*.

26794. What is your chain of subordinates in a district?—Practically the Deputy Commissioner, the Sub-Divisional Officer, the tahsildar, and the naib-tahsildar.

26795. Have you any power of posting or transferring any of these officers?—I can transfer Sub-Divisional Officers from one sub-division to another, but I cannot transfer tahsildars, because the Sub-Divisional Officer is really at headquarters, and I can give one man one sub-division and another another; I generally inform the Commissioner of what I do.

26796. In other words the transfer of Sub-Divisional Officers under the present system is a book transfer?—Yes.

26797. Is that a good system?—One tries to keep a man as long as possible, but necessities occur; for instance, I had one of my Assistants taken away and no one else sent in place of him, so that I had to put two *tahsils* under one Sub-Divisional Officer.

26798. Is it desirable that you should have power to transfer a tahsildar?—No. For the reason that if I wanted a tahsildar transferred, I am quite sure the Commissioner would consider it, and do what he could for me. I have never wanted to transfer a tahsildar up to date, except out of my district. Of course I have had some people who I thought ought to go, and then I would have them out of the district, but to transfer them from one *tahsil* to another—would be useless.

26799. Do you as a matter of fact transfer them from *tahsil* to *tahsil*?—Practically never. Sometimes in the course of making necessary changes it might be done, as, for instance, a tahsildar wanting to have his children better educated and wishing to come up to headquarters; it might be arranged in the course of transfers to get him there, but I have never transferred a man because I wanted him out of one *tahsil* into another.

26800. Would you look upon any delegation to yourself with regard to posting or transferring your subordinates as an unnecessary grant of power?—Yes, I do not think I should ever want to use it.

26801. Do you tour a good deal in your district? In my late district I toured a great deal; I used to get out early in November, and, coming back from time to time, I used to stay out till the beginning of May.

26802. Did you manage to see the people in the district?—A very considerable number of them; it was a very large district and it was impossible to see the whole of them in one year.

26803. Did you find any reluctance on the part of the people to come and see you?—No.

26804. It has been suggested that either the duties of the Deputy Commissioner, or his own desire to keep aloof, keep the people away from him?—I always have the same routine, and as I go into a village I sit down and get the villagers round me and talk over village affairs. I go on from village to village throughout my tour like that, and when I reach the camp the people are always informed that at 4 o'clock I want them there, and then I either go round the village with them or sit and listen to what they have to say. I have never see the smallest reluctance on the part of the people to come and see me.

26805. How many languages were spoken in your late district?—In Raipur it was practically all Hindi; in Nagpur it is mixed Hindi and Mahrathi.

26806. Have you in Raipur both wet and dry cultivation?—Yes.

26807. Had you power to make remissions on wet crops?—It is practically all *malguzari*, so that there is no distinction as regards remissions in wet or dry assessements.

26808. The last witness stated that he desired to have power to grant agricultural loans, as Deputy Commissioner, up to Rs. 5,000; do you think that is too large a sum to leave to the discretion of a Deputy Commissioner?—I do not think it matters very much, but it is very unusual to get large demands. At present I have one application for a loan of Rs. 7,000 for a tank, and if I can get the preliminaries satisfactorily settled the Commissioner will sanction it, and I do not think it will take two months to get through as was suggested.

26809. Then, practically, applications for loans over Rs. 500 are so few that it is hardly worth while bothering about?—I think so, and some new rules are coming up under which a Deputy Commissioner will be able to give sanction up to Rs. 1,000.

26810. Have you all the powers you desire with regard to the Court of Wards?—No, the financial control is extremely inconvenient. I had lately to get the Commissioner's sanction to an expenditure of one rupee per month to pay for the sweeping of a bazaar, and in another case lately I had to apply for sanction because I wanted an extra farm servant, because those are instances of recurring expenditure.

26811. Ought you to have greater power to sanction works in respect to Court of Wards estates?—There is not very much trouble from that point of view. If I want any big work done, I do not find the necessity of getting the Commissioner's sanction specially inconvenient.

26812. Is there any necessity why you should write to him, and he to you, with regard to an expenditure, say, of Rs. 100?—That does not occur; I can incur expenditure up to budget sanction.

26813. But I am speaking of outside the budget?—For unforeseen expenditure and other things I should like that.

26814. Why not for small works?—Because they are nearly always contained in the budget; a sum is put down of Rs. 500 or Rs. 1,000, and within that I can do any work I like.

26815. Have you any special grant put at your disposal for expenditure in villages?—No; I have had special grants in the time of Mr. Miller, who was Chief Commissioner. When he went to a district he generally used to give us a sum before he went away for some purpose or other. He gave grants in Raipur for the Museum and for the Victoria Park.

26816. Have the Commissioners now any sum allotted to them for those sort of purposes?—I do not think so. That was the only case of outside grants I have ever received.

26817. Are your relations with the forest officer all that you could wish?—I think so generally. I have been extremely fortunate, and have nearly always found the greatest assistance in every way, but I had in one case a little friction.

26818. Does the forest officer have to conduct all his correspondence through you?—The majority of it; technical subjects do not always go through me.

26819. We have been told by the Inspector-General of Forests that there is an A and B schedule of correspondence—the A being through the Deputy Commissioner and the B direct; do you know anything of such schedules?—I know that a large number of letters come through me and I believe that a number do not.

26820. As to those letters which do go through you, is it necessary that you should see them and conduct the correspondence?—It is very useful; very often I merely write "forwarded," but it keeps me informed.

26821. Is it necessary that you should be informed of the matters which come through you?—I believe in the Deputy Commissioner knowing what is being done, and I do not think there is delay, because it is not noted on in the office, and ordinarily it is marked "Forwarded."

26822. But it may take three or four days in getting to you?—Yes, it may mean a few days' delay, but that is not so important a drawback as that I should not know what is going on.

26823. There seems to have been a good deal of complaint as to the relative position of the Public Works Officer and the Deputy Commissioner; have you anything particular to say on that head?—I do not think the Public Works Department is quite so helpful as some other departments. If you say to the Public Works Department that you want a road, they will make you a very good road, but they will not care twopence whether by running a little bit out of the way they would touch a big village, and in some cases they will align their road in such a way as to break up tanks unnecessarily unless they are stopped.

26824. Have you power to stop them or divert a road in the cases you mention?—Sometimes one does not happen to know it, but I have given special orders that a Revenue Officer is to ride down the road in every case.

26825. Does neither the Commissioner nor the Deputy Commissioner see the scheme for a road before it is made?—We have copies of it. It could not show the alignment, so far as individual little difficulties of crossing through a tank, for instance, are concerned; the maps would have to be so very elaborate.

26826. Have you no survey which would show you?—No.

26827. What is your remedy for the difficulties you have mentioned?—To send a Revenue Officer to ride over the line and object.

26828. Or would you have previous consultation with the Public Works Department?—If I know that a road is going to be made in a district I know well, I should suggest to the Public Works Department that the alignment should be in such and such a way, but of this district I have not any very great local knowledge.

26829. Does the Executive Engineer or the Superintending Engineer not consult you?—Not about the alignment of a road. I have two objections at the present time here which I am trying to settle with regard to the alignments of roads.

26830. Supposing the Government wished to make a road, can they go through anybody's land?—It has to be acquired.

26831. When the land is being acquired, have you nothing to say?—Yes, then I come in, but I am told it is too late, or that it would be extremely inconvenient, or that the survey is over, and so on.

26832. (*Mr. Meycr.*) As regards the road programme, we were told that the Commissioner sees it, but that the Public Works Department take road A or road B in any order they like; when once the thing has got into the road programme, is it absolutely left to their discretion to say when a road shall be undertaken?—I believe that is so. I have not had very much trouble about roads, because in my district in Raipur the only trouble was to get any roads, and I put in for all which were wanted.

26833. Then is all you want that the Public Works Department should take you into their confidence?—Yes.

26834. You do not desire, as some officers do, that the Public Works Officers should be your assistants with regard to the non-technical work in a district?—I do not quite know how it would work out and whether there would be more friction that way or less; I have no strong opinion about it.

26835. You have no powers as to remission of revenue at present?—No, none of remission; I have some emergency powers of suspension. I can suspend first and get sanction later.

26836. Do you think you should have powers of remission and suspension within certain limits?—I think it is unnecessary; the Commissioner is better capable of dealing with it, and the emergency orders I can pass are sufficient.

26837. You mention that the Commissioner's sanction is needed for the transfer of a patwari; is it also needed for such matters as the appointment or dismissal of a *mukaddam*?—No; the only point is that at one time Deputy Commissioners transferred their patwaris too much as punishments, thus losing their local knowledge, so that the power was put into the hands of the Commissioner, but it might be returned to us now.

26838. As regards the ordinary village officers, who appoints the *mukaddam*?—The tahsildar; the *lambardar malguzar* is *ex-officio mukaddam* unless disqualified.

26839. Has not the tahsildar to go to the Sub-Divisional Officer?—No, it is one of the powers which has been just delegated.

26840. Have Sub-Divisional Officers generally all the powers that they require?—Yes.

26841. Can they sell liquor shops, for instance?—No, liquor shops must all be sold together; they could not be sold piecemeal.

26842. But there are separate shops?—Yes, but they are all called up together.

26843. Is there any reason why particular shops in a *tahsil* should not be sold by the Sub-Divisional Officer?—The revenue would suffer. In some *tahsils* it is done in that way, and then generally the Extra-Assistant Commissioner—the Sub-Divisional Officer—does hold the sales for the Deputy Commissioner, but the Deputy Commissioner sanctions finally.

26844. The object of the present excise system is to get the shops into the hands of the local men; would you not be more likely to get local men to purchase if the sales are held locally than if they have to come to the headquarters of a district?—I did not see any reluctance on their part to come the other day when the opium sales were going on, when there were some 500 or 600 people clamouring round my tent.

26845. The Sub-Divisional Officer, as a Magistrate, does not take appeals from his subordinate Magistrates in sub-divisions?—He does in my district, and he did in Raipur. There are Sub-Divisional Magistrates as well as Sub-Divisional Officers, and any Sub-Divisional Magistrate may be empowered to hear appeals by the Local Government.

26846. As a rule, is a Sub-Divisional Officer empowered to hear appeals?—I cannot say. I was astonished when I came here to find that they were not, and one of the first things I did was to get the powers.

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26847. If a man is fit to be a Sub-Divisional Officer, is he not fit, *primâ facie*, to take appeals in second and third class cases?—I think so, except in the case of some new officer. It might be that a man who was a good revenue tahsildar for instance has just been made an Extra-Assistant Commissoner and given charge of a sub-division, and he might not have much criminal experience.

26848. In that case, would you give him first class powers?—He probably would have been exercising second class powers as a tahsildar, and you might put him on to deal with first class powers as further instruction.

26849. That is to say you would allow him as an original Magistrate power to imprison up to two years, but you would not as an Appellate Magistrate allow him to deal with cases that might run to one month only?—But his power to imprison for two years would be subject to appeal, and in the other case it would only be subject to revision.

26850. You say that Sub-Divisional Officers are best at the district headquarters, but is not a man likely to become more self-reliant if you put him out by himself and let him decide matters on his own responsibility, instead of always coming up to the Deputy Commissioner for advice?—They come up to me for advice in certain cases, and if they are in camp they write to me. I do not find much difference whether they are in headquarters or whether they are in their sub-divisions. I agree that there are certain great advantages in their staying in their sub-divisions, but I also see great disadvantages; it is a moot point, but the balance is in favour of their being at headquarters.

26851. Mr. Sly told us he was in favour of a *via media*, giving them headquarters of their own in sub-divisions where they could find fairly pleasant quarters; would that commend itself to you?—I think in certain cases, for certain administrative reasons, it might be very necessary to have a Sub-Divisional Officer living at headquarters, but I should leave it to the Local Government to say when for certain reasons he should be recalled. I know of one case in which I strongly recommended that a Sub-Divisional Magistrate should be placed in his sub-division in the eastern part of the Raipur district; there is no sub-division there yet, but there is a proposal that a zamindari sub-division should be made there, and I think in that case, owing to the immense distances, it is practically necessary that the Sub-Divisional Officer should be resident, although in ordinary districts it is not.

26852. Then if he had a headquarters of his own, would it mean that he would be there from one end of the year to the other, and would not come into headquarters for District Council meetings and so forth?—He would not be on the District Council; one of the Sub-Divisional Officers is generally the Secretary or Chairman, but not necessarily all of them.

26853. You have a treasury in this district?—One of the Assistants is put in charge of the treasury and is in charge of headquarter work.

26854. You desire to have a Joint-Magistrate at headquarters to be a sort of assistant to the Deputy Commissioner, the object being to relieve you of work; might not that be done in another way, namely, by delegating large powers to your Sub-Divisional Officers and getting larger powers given you by the Commissioner?—At present I am responsible for the work of every Assistant *quâ* Assistant, and the more assistance I get the more papers I get passing through my hands. If I do my work properly I read them through; if I do not I pass them without, and I want a man who could relieve me of some work definitely and dispose of that work under his own signature.

26855. Are you speaking of revenue work?—No, more or less miscellaneous work; for instance mining matters might go to him, and he could take a lot of criminal work and hear appeals. A Deputy Commissioner has to inspect the treasury every month, and I have to go in solemnly every month to count a thousand rupees and a certain number of stamps, which is my balance here.

26856. Do you desire this as a special matter in the Nagpur district, it being a heavy one, or over the whole province?—Only in heavy districts possibly; Jubbulpore might have the same, and I have heard the same complaint as to that place.

26857. Do calendars come up to you?—Yes.

26858. They contain simply the facts of the case and the sentence, but not the judgment?—They contain only a short statement of the facts.

26859. Do you get sufficient information from them to enable you to judge of the work of your subordinate Magistrates?—As a rule; sometimes the statement in the calendar is not very clear, and then I call for the case to see whether there is anything peculiar about it.

26860. You propose that the Deputy Commissioner should be empowered to sanction any payment up to Rs. 250, whether included in the budget or not, and whether ordinary or extraordinary; do you refer to recurring expenditure?—I refer to the Court of Wards only.

26861. With regard to that you would also like larger powers as to contingent expenditure?—Yes.

26862. And a grant for temporary clerks?—For copyists only.

26863. A previous witness said that all income tax assessments above Rs. 2,000 were made by the Sub-Divisional Officer, but that they had to go to the Deputy Commissioner for confirmation—is that so?—All one writes is "Sanctioned"; there is no enquiry, and then if it comes up on objection one goes into it; the Deputy Commissioner, as a rule, does not investigate these preliminary assessments.

26864. Might not the Deputy Commissioner's approval be dispensed with altogether?—I think so.

26865. You mention the Patwari Cess which has been done away with; it was at one time suggested that there should be an equivalent put on to the Land Cess, do you think that might have been done?—I should have liked to see it handed over to District Councils for the School Cess, instead of abolishing it.

26866. What is the *haisiyat* tax?—That is a tax based on the circumstances of a person in a certain place. I understand that the house tax in Bengal is not necessarily confined to the value of the house, but the circumstances of the man living in the house are taken into consideration, and that is very much what this tax is; it is a sort of rough income tax.

26867. Is it laid down by law what percentage you are to take, or have you an entirely free hand?—The way in which the *haisiyat* tax is properly assessed is to take the needs of the particular municipality or village and subtract from that any other assets which they may receive from bazaar dues or other income, and when you get the deficit, it has to be divided among the *haisiyat* tax payers according to the units of *haisiyat*. Then you say it is so many annas per unit.

26868. Who assesses it?—The committee frame their budget and their lists, but of course there has to be a certain amount of supervision of the Sub-Divisional Officer or the tahsildar, or you would have the working man going up to the top and the rich man to the bottom. A certain number of municipalities have it, and the village sanitation committees have it.

26869. In the municipalities do the Councils have a hand in the assessment?—Yes, but in some municipalities I have found such a tendency to let off the rich men lightly and to make the poorer men pay heavily, that I had to have the *haisiyat* revised.

26870. Do you think revenue inspectors ought to be more under the control of the District Officers. The final control now rests with the Director of Land Records?—The Director of Land Records does not interfere very much.

26871. Would you like more powers in that direction?—I am satisfied; I have never had any trouble about it.

26872. Have you ever been in a district under settlement?—I have been a Settlement Officer.

26873. What were your relations with the Deputy Commissioner, did you consult him?—I had several Deputy Commissioners, some of whom I worked most amicably with; with one I did not quite; they were nearly all my juniors. If you mean did I consult them, yes to a certain extent, but not to a very large extent about details. Principles have to be forwarded through the Deputy Commissioner.

26874. I understood from Mr. Sly that they had not and that the Settlement Officer went straight to the Divisional Commissioner?—He is better qualified to say than I am, but I thought that matters such as the *wajib-ul-arz* and the *tahsil* report went through the Deputy Commissioner. I was a Settlement Officer from 1894 to 1900 and there may have been some changes since.

26875. Then it depended on your relations with the Deputy Commissioner; if you were on friendly terms you took him into your confidence, and if you were not you did not?—As to the person I am speaking of, we met practically every day during the rains and any particular matter was discussed unofficially.

26876. Would you have consulted him as to the assessments you were contemplating, and whether the landlords were able to bear them, and so on?—At that time the position was that the Deputy Commissioners were much junior to me, and I knew the district so very much better than they did, so that I did not consult them as I did not think their opinion would be very useful. If the position had been reversed, I should have done so. When I was Deputy Commissioner at Raipur the Settlement Officer has constantly talked to me about the district, because I knew it better than he did and had been there longer than he had.

26877. (*Sir Steyning Edgerley.*) Several witnesses have suggested to us that they would like to see Government give loans for freeing estates from the Court of Wards. Is it not quite possible to get such loans if you want them?—There has been lately a good deal of trouble about loans in the Central Provinces, because we had a succession of bad years which hit the lenders rather badly, and up in the north there were a number of estates which were taken over which were hardly solvent, and the famines made them insolvent; so that one of our greatest lenders began to fight shy. Then, we have been taking them lately from the Dufferin Fund, which has been only too happy to give them to us; some trouble arose about that, but I believe it has been got over, and we can generally get the loans we require from the Dufferin Fund.

26878. Can you get them from the Government?—I have never heard of such a case.

26879. Is that because you do not try to get them from Government?—No, I think it has been barred.

26880. In Nagpur your Local Board pays over Rs. 20,000 a year to Government for the maintenance of roads in Class 1 and Class 2; do those roads belong to the Local Board?—Probably they may be said to belong to it, but there is very little difference between a Government road and a Local Board road.

26881. Why do they pay the money; are they provincial roads?—Provincial roads are maintained entirely by the Local Government; there are other roads which are not on the provincial list, but they are maintained by the Engineers entirely.

26882. Now that you have got a Divisional Engineer, will these roads be managed by him?—The Divisional Engineer at present is getting a great deal more work than he can possibly get through in the way of buildings, and I very much doubt whether he could take up the question of roads. The man we have got at present is a pensioned Public Works man of the subordinate grade; he is good enough in some ways, but he is not as young as he was.

26883. What is the status of what are called Class 1 and Class 2 roads?—The roads to which we subscribe are not provincial roads, so I suppose you would call them district roads; I do not know that they have been formally vested in the District Councils; I do not quite know in whom the property lies.

26884. You say you think there is excess of rigidity in the Education Department; will you tell us what you are thinking of?—I think that at the present time the educational policy as concerns primary education is to educate a few boys fairly highly and not a sufficient number of boys.

26885. But you say "the Department is somewhat too uniformly managed to meet the varying requirements of different localities"?—I wish to see a very much larger number of schools—a school in every village; I should like to see a certain number of schools purely primary, doing the three R's., instead of teaching the secondary subjects, geography, agriculture, patwari work and various other things which are brought into the curriculum. That is a standard curriculum for the whole of the District Council's schools; in order to teach that curriculum you require certificated masters. We cannot get sufficient masters to go on to extend our schools. Unless we can get some more rural schools as well, we cannot educate the bulk of the people.

26886. Have the District Councils no say as to the curricula?—No. It is fixed in the manual.

26887. Is the manual a law of the Medes and Persians which it is impossible to alter?—No. One could get the schools by agitation, if one had the money. Some suggestions of mine were very sympathetically received by the Director of Public Instruction, and I hoped to work some through, but I had not the money to do it.

26888. What was the difficulty?—I wanted to start a greater number of schools and I had not the money to do it; I wanted to start new schools on a simplified basis.

26889. You complain of the financial control in the matter of excise, and apparently of all departments; what does that refer to?—The whole question of contingencies; that is the only financial part we have to deal with.

26890. You would like to have a lump sum and be able to spend that with no questions to be asked as to how you spend it inside the lump sum?—Practically none.

26891. You also think that the control of the local Councils and municipalities might be very much relaxed; and that it would be sufficient for the Commissioner to get the budgets, the monthly accounts, and a copy of the proceedings for information and for action if he thought necessary?—Yes.

26892. And as to sanctions?—In working out the detailed proposals I daresay you might find some things that required sanction, but I was referring to the principle.

26893. And the same as to municipalities?—Yes. Of course a matter of this sort would have to be worked out very carefully, and one or two things might be found as to which you would require to have certain safeguards. For instance, a short time ago we raised the pay of the chief Executive Officer of the Nagpur municipality to Rs. 350; I got a letter from Government saying that they had found out that this required the sanction of the Government of India.

26894. How could that be, as it was paid from excluded local funds?—I cannot say; anyhow, it had been sanctioned by the Local Government, and they sent it through again for sanction, because it was more than Rs. 250 a month.

26895. We have been told that the Civil Service Regulations and the Civil Account Code have been applied to the municipalities and Local Boards; whose orders are those?—I cannot say.

26896. They do not apply these codes themselves?—No; it must be by the Chief Commissioner's rules under the Act.

26897. It has a somewhat centralizing effect if they do apply?—Yes.

26898. You are not in favour of panchayats or village unions?—Not at present; not until the bulk of the people are educated.

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26899. Some people think that they are the only way of getting a satisfactory electorate for the District Boards; how would you meet that suggestion?—Knowing how difficult it is to get anybody to take any interest in an election at all, I think that the *mukaddams* whom we have as the electorate at present would be just as good as the village panchayat.

26900. The village *mukaddam* is nominated by Government?—He is not nominated by the Government: the *malguzari* body has a *lambardar*, who is appointed by the tahsildar as far as possible in accordance with the wishes of the shareholders, and that man is *ex-officio mukaddam*; below him there is the *gomashta*, if he is not a resident, and in the choice of the *gomashta* there is a certain amount of control by the tahsildar to see that he is a proper person.

26901. Does the District Council work well under the non-official Chairman?—The main part of the work is done by the official Secretary.

26902. Who is the official Secretary?—Mr. Ramkrishna Rao, the father of Mr. Pandit, who is the Vice-Chairman; he and his son do most of the work.

26903. Do you think that the body works badly as it is constituted?—I have seen rather little of the work up to date of the Council here; it does its work in a way.

26904. Do you find that you yourself have not sufficient information about what is going on in the district, owing to your not being on the Council?—No; I do not think the District Council would add to my knowledge of the district; they seldom talk about anything except the agenda.

26905. Would it be a great advantage to you to be present at those discussions?—No. In certain cases when there is anything important a Deputy Commissioner very often signifies his intention of being present, and his presence is generally welcomed; perhaps it could not be otherwise.

26906. Are the *tahsils* too large?—In some places; in Raipur certainly.

26907. If you had a free hand, what would you consider was the proper size for a *tahsil*, on a rough average?—I think somewhere about 800 square miles; it depends of course on the amount of work in any particular place. In Raipur they might do a little more in some places; there is one there well over 2,000 square miles.

26908. We have been told that there is a good deal of interference with Local Boards from above, and we have been told further that that leads to want of interest in the work, and that that leads to resignation by members and inability to get the best men to come on to the Boards; do you agree with that?—I have never heard of a member of a District Council resigning, or of not being able to get the best men on. I think people value seats on the District Council from entirely other points of view, not in order to do work, but to gain in importance.

26909. You are ready to give the District Councils powers of taxation? As to that it has been suggested to us that, if they could tax the people, the people would take a much keener interest in their proceedings, and as to how they spent the money, and as to whom they elected on the Councils, and so forth; what do you think of that?—They would take a keener interest in the elections, certainly; but I doubt their taking much interest in what they did; because the ordinary village here looks on the Local Boards or the District Council merely as a modified form of the *Sirkar*, and I do not think they realise any difference between what the District Council is doing and what Government is doing.

26910. You have told us that you did not see much harm in powers remaining with higher authorities. We have been told elsewhere that the correct principle on which to base a distribution of powers is to put the power in the hands of the officer as low down in the scale as is safe. What do you think of that as a principle?—I agree with that, but there is the question of safety. The control of higher authority is very useful in many cases for some elimination of the personal element. Sometimes a Deputy Commissioner finds it very hard to appreciate the proper proportions of a case, whereas an outside man would be able to do so.

26911. As a general principle, is that a working principle?—As a general principle it is as far as it is safe; it is a question of safety.

26912. (*Sir Frederic Lely.*) You were rather an exceptionally long time at Raipur as Deputy Commissioner?—I was there from 1903 to the middle of 1907—four and a half years—of which I was away eight months on leave.

26913. Was there any special reason for your remaining there longer than usual?—On one occasion I was asked whether I wished for my name to be considered with reference to another and more favourite district, Jubbulpore, and I said I was quite happy in Raipur.

26914. Does every Sub-Divisional Officer exercise the same powers?—They are not given to him *quâ* Sub-Divisional Officer; they are given him according to his experience; but ordinarily they are given full powers by the Chief Commissioner as soon as possible.

26915. Would it be advisable to enable the Collector to delegate to his officers such of his own powers as he thought fit?—I cannot think of any power which one could delegate which is not practically delegated at present.

26916. Is it not rather cumbrous to have to go up to the Chief Commissioner for the delegation of powers?—The Sub-Divisional Officer is given certain powers under the Land Revenue Act; he becomes a Collector under one section, and a Deputy Commissioner under another section.

26917. Are those powers given as a matter of course to every Sub-Divisional Officer?—Yes; first of all he gets one set of powers usually, then shortly afterwards he gets the full powers of a Deputy Commissioner under the Act.

26918. Then there is a certain amount of differentiation between the various Sub-Divisional Officers?—Between the various Extra-Assistant Commissioners; sometimes one will have a rather junior man sent to one, who is put in charge of a sub-division; he would not have the full powers, but he would get them after a short time.

26919. After that, practically all Sub-Divisional Officers are on the same level?—Yes.

26920. Would it be advisable to give the Deputy Commissioner power to give powers to one man and more powers to another, according to their seniority and according to their general competence?—I do not see that they could get more powers than they get at present.

26921. It has been suggested that junior Civilians during their first year of training should be sent for a couple of months or so to a Settlement Officer to learn their work, instead of their training being deferred until afterwards; what do you say to that?—I think they ought to learn the language first.

26922. As a matter of fact it would save a certain amount of inconvenience?—A great deal, and it might teach them the language more quickly; but it would be very hard for them to follow the work until they had learned more of the language than they probably would have done in a year. My knowledge of the language after six months was not sufficient to enable me to take a very intelligent interest in a village inquiry.

26923. Then on the whole, notwithstanding the inconvenience it would save, you are not prepared to recommend it?—I think it would be better for him to go when he was better able to take advantage of the instruction.

26924. How long is a Deputy Commissioner expected to be on tour in the year?—I cannot tell you offhand.

26925. Nor as to Sub-Divisional Officers?—I have always made it the rule that everybody should be out on tour as long as I could keep him

out. I am afraid I have not noticed very particularly the minimum which has been set, because I have always been working for a maximum.

26926. Is not the camping of an officer considered a burden on the village?—Yes.

26927. Notwithstanding that, you think it would be better for Sub-Divisional Officers to spend as much of their time as possible touring?—Yes One does one's best to make it as little burdensome as possible; the balance is for good.

26928. Do you advocate a man making rapid camps?—No, a Deputy Commissioner must travel fairly fast, but a Sub-Divisional Officer ought to travel as slowly as possible. A Deputy Commissioner has to get round a fairly large area, and it is very hard for him to stay very long.

26929. Speaking not so much of Raipur, but from your experience of Nagpur, would you say that the fault as regards the alleged inaccessibility of Europeans was all on one side, on the side of the Europeans, as so many witnesses have told us?—All I know is that at the present time every morning I have three or four gentlemen coming to see me. I am very pleased to see them; they occupy a very large portion of my time; I do not find that they seem to look upon me as inaccessible.

26930. Are you aware of any large section of the community who do not wish for intercourse?—I think the section of the community which has been described as extremist does not come to visit me very much; the other section of the community and the people who take no part in politics come daily to me.

26931. Could you give us an idea roughly what proportion of the Deputy Commissioner's office work consists of papers that merely have to be initialled or papers the signing of which is merely formal?—There is a large amount of that; it is rather hard to say how much, because it depends on how many of these formal papers one does read; sometimes I do read them, sometimes I do not; there is a good deal of it.

26932. As a District Officer do you consider that the tahsildars as a class are equal to their situation?—They are improving in some ways; I do not know whether they are quite as good as some of the old men; they are getting more legal, and they do not push through their work quite so fast.

26933. Is their intercourse with the people more or less reserved than it used to be?—I think it is about the same, but the tendency which I object to in them now is doing all their work sitting in their cutcherry; a tahsildar's court is his saddle.

26934. That means more intercourse with the people?—In the towns they mix with the people quite freely and talk to them.

26935. Do they know what is going on as well as they ever did?—Perhaps not in some places, from that fact of sitting in their cutcherry and doing their work there.

26936. Are the tahsildars as a rule men who deal with false rumours and help to disperse them?—I have had a great deal of that kind of thing just lately here, and one tahsildar was transferred to another district because he did not do anything; but other tahsildars have done their best.

26937. Then again, there is often much misunderstanding of the orders and opinions of Government; do the tahsildars as a rule take much trouble to diffuse proper views on matters of that kind?—At present the tahsildars are a little bit afraid of arguing and talking about these subjects, in case it might be said that they were taking part in political discussions. They may do it in private conversations, but they do not like to address a number of people for fear it might be said that they took part in political discussions.

26938. Are the doctors in charge of rural dispensaries all that are required?—A great many of them are fairly good, and a few of them are quite bad.

26939. Is the supervision over them sufficient?—The Civil Surgeon has very little time to supervise them. The Deputy Commissioner and the Sub-Divisional Officers inspect dispensaries and write remarks in their books and so on. We have no control over their professional side. I have often thought that when the number of dispensaries is large it would be a very good thing to have two Civil Surgeons to the district, one a peripatetic Surgeon and one for headquarters.

26940. You think that the supervision is insufficient at present?—It could be improved, but otherwise with regard to sanitation and vaccination and other things they are nominally under the Civil Surgeon, but the Civil Surgeons have very little time to exercise control.

26941. Would it be good to give the District Board more immediate control of the subordinate medical men?—I do not think that would help at all

26942. In the Raipur district there are some forests managed by the villagers?—I think you refer to the fuel and fodder reserves which were bought from *malguzars*, various waste pieces of land, to be re-afforested; they were handed over to the District Council for management.

26943. Have they been a success?—They have been fairly useful as regards fodder, but no very strong attempts have been made until rather lately to improve them as fuel reserves, that is to re-afforest them, and many of them are almost impossible for re-afforestation, because they are such very poor soil.

26944. Has the management been in the hands of the District Board or of the neighbouring villages?—The District Board, under the Deputy Commissioner; it was a special department like the Public Works of the District Council, and the Deputy Commissioner had orders to look after it. The village, as such, had nothing to do with it.

26945. (*Mr. Dutt.*) What do you think of the idea of the Sub-Divisional Officer pitching his tent in large central villages and visiting the villages all round, instead of going with his tent to small villages?—He practically does not go to every village except in the case of absolute necessity; sometimes in order to get from one place to another you have to camp at quite a small village, but ordinarily you go to the biggest village in your line.

26946. And from that as a centre you visit the villages all round?—An Officer generally moves on; he will stay for a day or two and very likely go out to see one or two villages, but he is generally on the move, because he has a thousand miles or so that he has to go over and he wants to see it all fairly constantly, so he zig-zags about rather than stays at one place for a certain number of days.

26947. If he encamped in large villages where there are bazaars, his tour would be less trouble to the people than it otherwise would be?—I do not think it is actually the things that can be got from a bazaar which are troublesome—certainly not in this district. Nearly always a *baniya* can be got to supply it; it is the other matters—the difficulty of getting tents there; the tents come in at an inconvenient time; they have to be put up and things have to be collected and so forth; the chaprassis and private servants order about here and there, "Bring this wood here; get some water here"—all that kind of thing is trouble.

26948. Can that be avoided or minimised in any way?—It can be minimised by the care of the officer, but it cannot be entirely avoided.

26949. Tahsildars are now appointed by the Chief Commissioner. A suggestion has been made to us that they might be appointed by the Commissioner; would you approve of that?—I certainly think it is much better that they should be appointed by the Chief Commissioner.

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26950. We have had it in evidence from a witness that in his sub-division there are about 500 villages and only about 40 primary schools, so that if you have a primary school even for two or three villages you would have to quadruple the number, and if you wanted taxes to the same amount you would have to quadruple the Education Cess. It is possible to quadruple the Education Cess without a great deal of hardship?—I want to have these extra schools run on very much cheaper lines; the present staff for a school runs to not less than Rs. 20 a month; you could run a rural school on about Rs. 5, by assisting the people to run their own school.

26951. So that with your present income you could have almost four times the number of schools that you have now?—I would not like to run down the present schools. The curriculum is extremely good; the only thing is, it is too expensive for the extension of education to the bulk of the people. I would not suggest reducing the present schools to a lower grade, but I would like to add, over and above that, a large number of other much more elementary schools.

26952. In those cases would you entrust the school to the village altogether, the village to have the management of the school, with a grant of Rs. 4 or Rs. 5 a month as a sort of aid or stipend?—Yes, subject to a certain amount of check of examination. The grant would be continued as long as there was a certain number on the roll and so long as a certain number passed a certain examination.

26953. In those schools you would simplify the curriculum?—I would merely have the three R's, because I want to include the children of agricultural labourers and so on, and to get them through their course as quickly as possible and send them back to the fields. The great complaint of the people is that they want their boys back to the fields for their trades; if boys are kept in the schools for three or four or five years the result is that the parents will not send their boys, because they want them to herd cattle and so on.

26954. In the last three or four years you have received from the Government of India some contributions to education by the District Board?—I do not know where they came from, but we have been receiving some large grants-in-aid for primary education.

26955. Has that money been mainly devoted to educational purposes?—For building schools, increasing the number of teachers, increasing the pay of teachers, and getting better men—certificated teachers.

26956. Not in forming new schools on the plan you have suggested?—Not on that plan, but we have at the same time been able to increase our schools to a certain extent.

26957. Is there a forest officer in every district?—It is hard to say in every district; it is very nearly so, but Nagpur and Wardha, for instance, are in one charge; there are some districts that are joined up.

26958. So far as the public are concerned, is the forest officer to some extent under the direction and control of the Deputy Commissioner?—He is declared in the rules to be an assistant of the Deputy Commissioner in forest matters, and he is not supposed to write officially to the Deputy Commissioner; the Deputy Commissioner and he correspond by memoranda, which shows the position; their position is more intimate than that of two departments corresponding officially.

26959. So far as the needs and requirements of the people are concerned, do you find that the forest officer generally agrees to the suggestions and requisitions of the Deputy Commissioner?—Very largely so.

26960. So that you have no reasons to complain of the relations now existing between the forest officer and the Deputy Commissioner?—Not in the great majority of cases; there are exceptions of course.

26961. Would you say the same with regard to the police?—Yes. In the case of the police and the Deputy Commissioner the relation is rather more intimate; in case of necessity the Deputy Commissioner will pass a definite order to the Superintendent of Police; it is generally not done, but the final responsibility lies with the Deputy Commissioner. It very seldom happens that one does more than have a conversation in which mutual suggestions are given and received.

26962. In regard to promotion and transfer of subordinate officers in the police, has the Deputy Commissioner as much authority as he requires for the purposes of good administration?—Certainly, provided he chooses to take it up. I have never known a District Superintendent of Police demur to a suggestion that some police officer would be more useful in a different thana.

26963. Is it done by suggestion, or has he power to pass an order?—I think he has power to pass an order; if the District Superintendent of Police disagrees with him he can appeal to the Inspector-General of Police and it might go up higher, but practically I have never known a case where such an appeal has been necessary.

26964. (*Mr. Hichens.*) When the District Council have passed their education budget, have they got anything more to do with education for the year?—Yes, all the questions of transfer and promotion and punishment of schoolmasters is in their hands.

26965. These matters do not go to the Local Boards?—No; they occasionally may go to the Local Board, and then from there to the District Council, but mainly all questions of transfer or punishment are in the hands of the District Council.

26966. We were told to-day that there was a Local Committee for each school?—Yes, a School Committee.

26967. Are they not consulted in a matter of that sort at all?—The School Committee runs the domestic part of the schools, spends the fees on local needs, and can give the schoolmaster a certain amount of leave; occasionally the School Committee write up and say the schoolmaster is not doing his work properly, and recommend that he should be punished.

26968. Do questions of transfer come before the Board, or are they settled by the Secretary?—They would go before the District Council in most cases, but in urgent cases the Secretary very often passes the order in anticipation of the sanction of the Council.

26969. In regard to hospitals and vaccination work and so forth the District Council do very little but pass the budget?—With regard to dispensaries the District Council practically only gives grants to separate Dispensary Committees, which work generally under the Civil Surgeon; the District Council has very little interference with the actual working of any dispensary; it gives a grant.

26970. They have no inspecting agency?—We would like the members occasionally to take an interest in these local things, but they do not as a rule take a great interest.

26971. Then does the District Council carry out any Public Works through its own agency?—Now that we have got a Local Fund Engineer. In Raipur the District Council built the schools and built pounds and did some arboricultural work, and it used to have two small lengths of road also under its overseers.

26972. Is not a certain quantity of work done by the tahsildar?—All the works are done by the Council or by the tahsildar *quâ* its Executive Officer.

26973. Has the District Council very much Executive work to do?—It has to vote these buildings, and very often the members will watch the execution of the buildings and will pay the bills; very often the coolies and so on are paid in front of the members.

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26974. Do they spend a good deal of time allocating whatever money there may be as between one Local Board and another?—They do not spend much time; they have a meeting when they settle how much each Local Board shall get; the Local Board sends up its needs; it frames a sort of budget.

26975. But it gets a purely arbitrary allotment? It would be in accordance with its needs to a certain extent, as far as they could be met.

26976. How would it work supposing the Local Board got the whole of the share of the cess which is collected within its borders and the District Council were abolished?—In many cases that might rather work with difficulty, because sometimes the poorer parts of a district might require more money than its cess would provide, and some of the richer parts might be able to spare some money.

26977. Would the richer parts share that point of view?—It is, I think, the rule of all Government.

26978. Of the things that you have enumerated there is not very much that cannot be done as efficiently by the Local Board?—No, except that we get a better set of men on the District Council as a rule. You get a certain number of people at headquarters, nominated members, and so on, who cannot well serve on the Local Boards; it is rather difficult to nominate good men because they do not live there.

26979. Your objections are, in the first instance, that some of the Local Board areas would be so poor, and that you think is a strong objection?—Not very.

26980. The next is that you would not get quite such an efficient body on the Local Boards?—Yes.

26981. On the other hand, would they identify themselves more closely with the interests of their locality?—I have not yet found a Local Board member who interests himself in the affairs of his locality.

26982. Is that not because they have nothing to do?—I have asked them to do things, but they will not do them.

26983. Is it not possible to develop in that way?—I hope it will be developed, but it will take time. I do not think abolishing the District Council would develop local interest.

26984. Do you advocate the appointment of a Divisional Engineer for all the different divisions in the province?—It is absolutely necessary that we should get a proper engineering staff for District Councils, but there are so many things to do first. We must get more money; we must have a graded Service; we must have some provident fund in order that District Councils can compete with Government. At present we get the riff-raff, and in the end the Public Works Department must take all the best men. We cannot offer a salary which would invite anybody worth having to come.

26985. Would it be a good thing to make over all the road work to the District Council, assuming the financial difficulty could be solved?—I think a number of the main roads ought to be kept and run by the Government Engineers. Experience in England, for instance, has shown that road work is much better done by District Councils than by parishes.

26986. You have suggested that they should have increased powers of taxation. Will that meet the difficulty, or will they have to have substantial increased provincial grants as well?—I would much rather see it done by taxation than by grants; I do not like this principle of doles. The point is that their resources should be fixed, and understood, and not dependent on the chances of the moment, because if that is so no budget can be framed and no responsibility can be encouraged.

26987. It might be laid down as a principle that they shall get a grant from the Government of a percentage on their collections; that would give them a fixed income?—Yes, only anything they got should be a fixed income which they could be empowered to deal with, and not merely "The District is getting into debt, give them Rs. 20,000; that one is flourishing, take something from them"; that is what I object to.

26988. Then in regard to municipalities, do some of them have an assessment rate as well as the *haisiyat* tax?—They do not have an assessment; they have octroi; they either have octroi or a *haisiyat* tax.

26989. Is their financial position as miserable as that of the District Council?—The minor municipalities are badly off.

26990. They get doles for education and sanitation from time to time?—Yes, and for killing rats.

26991. They get nothing they can count upon as a permanent source of income?—They have grants for general purposes from time to time, but those can be raised or lowered; they are not certain.

26992. Should the same principle be applied in their case?—I should like all grants to be more or less fixed, if they could be fixed liberally enough.

(*The witness withdrew.*)

Mr. B. ROBERTSON, C.I.E., I.C.S., was called and examined.

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26993. You are Commissioner of the Berar Division?—Yes.

The rules under the Berar Land Revenue Code, which were issued in their present form a year or two ago, have done much towards properly regulating the work of the Commissioner, Deputy Commissioners and their Assistants. Assistants who have passed the Departmental Examination by the Higher Standard can be invested with many of the powers of a Deputy Commissioner. Against their decisions an appeal lies to the Deputy Commissioner. If the Assistant's decision is confirmed, there is no further appeal. If the decision is modified or reversed, an appeal lies to the Commissioner, whose order is final. The references required to be made to the Commissioner by the Act and the Rules are not very numerous, and there are only a few of them in which I would dispense with the Commissioner's sanction.

In connection with revenue work there are general complaints that the tahsildar is overworked, and at present he undoubtedly is. But not enough has been done to relieve him. He is often the only Magistrate in his *taluk* for the trial of 2nd and 3rd class magisterial cases. He has a naib-tahsildar as his assistant, but the latter possesses no powers either as a Revenue Officer or as a Magistrate. In one case I found objection taken to the naib-tahsildar passing *ad interim* routine orders in revenue cases, in the absence of the tahsildar, such as calling for a report from the *patel* or patwari. There is a great tendency in Berar to regard everything written on paper as a "case," whether it comes under a regular head of revenue business or not. The tahsildar is expected to pass orders on all cases, including matters which are not cases at all, in his own hand. In a busy *taluk* his time is taken up with a mass of often irrelevant detail, which gives him no chance of attending to matters of real importance. I propose authorizing naib-tahsildars to deal with certain classes of minor revenue work, and suggesting that they should be invested with 3rd class magisterial powers. Benches of Magistrates might be established in several places where there is a well-to-do community. The tahsildar would thus be relieved of his less important work, and if he is at the same time not tied down to recording in his own hand evidence and orders in minor revenue cases so much as he is at present, he should be able to exercise a much more effective control over the general administration of his *taluk*.

With regard to general administration much has been done in recent years to give enlarged powers to Commissioners.

In Berar Section 35 of the Land Revenue Act gives the Deputy Commissioner power to pass final

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orders for fining, reducing or dismissing a subordinate on a salary not exceeding Rs. 35. The Commissioner has power to fine or reduce a subordinate on Rs. 99 and no appeal lies. But in case of dismissal one appeal lies, if the salary is over Rs. 35. In the case of officers not subordinate to the Deputy Commissioner, there is a right of appeal in the case of every punishment, and a right of second appeal, when the subordinate draws from Rs. 25 to Rs. 50 a month, to an authority subordinate to the Local Administration. If over Rs. 50, a second appeal lies to the Local Administration. A further appeal lies to the Government of India when the pay is over Rs. 100. I should like to see the Berar Revenue Law brought more into conformity with the general practice. I would allow a right of appeal against an order of dismissal, which the law does not at present give when the pay is under Rs. 35. As regards the general practice I should allow no appeal against fines not exceeding one month's pay or reduction for one month. I should curtail the limit of second appeal by substituting Rs. 35 to Rs. 75 for Rs. 25 to Rs. 50. And I should make the Local Administration's order final in the case of all officers drawing less than Rs. 250 a month.

I am in favour of the more ready removal of officers who are absolutely unfit and inefficient. Government is far too lenient with its bad bargains, and I should view with favour a tightening up of the bonds of discipline in this respect. In Berar there are one or two officers holding the post of naib-tahsildar, who are a burden to the District Officer and of no use to the people; they had previously been in ministerial service, but have for years been hanging on as *taluk* officers. It is no doubt difficult to remove a man who has many years of service, but in notorious cases we should stiffen our backs and shake ourselves free of such encumbrances. No private employer would ever run his business with men who are quite incapable, and in Government administration there should be less of the idea "Once a Government servant always a Government servant."

The Head of the Administration passes a considerable portion of the year on tour, and is to a great extent in personal touch with Commissioners and District Officers, and so far as my experience went the views of the latter were always freely sought for by the Chief Commissioners under whom I served, and due consideration given to local opinion. In Berar the Commissioner held a semi-independent position prior to the amalgamation with the Central Provinces, and he still retains the requisite influence outside his purely land revenue duties.

In Berar the Executive Officers have sufficient opportunities for personal contact with the people, and lack of knowledge of the people cannot be laid to the charge of the Berar officer. To enable this to be kept up, he must not be swamped with office routine and should not be tied too much to his desk. The Commissioner should endeavour to see each of his Deputy Commissioners personally as often as he can, to discuss pending matters and thus avoid formal correspondence. There are generally numerous matters which can be disposed of in this way, even at the cost of a month or two's delay, much more satisfactorily than by letter-writing.

The system under which grazing land in villages is managed by the Forest Department is unsatisfactory, and the Chief Commissioner has recently asked me to go into the matter. It is not an easy question to settle, but I hope that some way of meeting the difficulty will be found.

As to knowledge of the vernaculars young officers should be made to pass much stiffer language examinations than they do at present. I would as far as possible keep an officer who is posted on first appointment to, say, a Mahrathi-knowing district in such a district for at least three years, to make certain that he really gets to know the language. To pass in a second language he should have two years after being posted to a district where it is spoken.

The frequent transfers of officers is a great bar to good administration, but in the Central Provinces we are not given to offending in this respect. The matter received constant attention from the Chief Commissioners under whom I served as Chief Secretary. I have a grievance in Berar regarding the frequent transfers of officers posted to the three important sub-divisions of Basim, Ellichpur and Khamgaon, to which an extra allowance of Rs. 100 a month is attached. In Ellichpur there have been ten changes in just over two years. I would make it a rule not to give these sub-divisions to men who may at any time go off to officiate as a Deputy Commissioner. Their seniors cannot grumble at losing the allowance, if they have the chance of acting in a district instead.

Municipalities and District Boards are at present kept in leading strings to a quite unnecessary extent. In the Commissioner's office a great mass of correspondence takes place, and much of his time is taken up with details of petty control. The system of local audit has a fine field in connection with the financial sanctions which the rules lay down, and I am continually receiving objection statements regarding amounts which have not been passed for want of the Commissioner's sanction or for some defect in the procedure actually adopted. When it comes to dealing with an objection by the Auditor against the purchase of four pairs of boots a couple of years before for coolies who had to enter plague-infected houses, the nature of the control which it is attempted to exercise can be imagined. This was a case recently sent up by a municipality, and there have been others scarcely less ridiculous.

I am not much in favour of Administrative or Advisory Councils to assist District Officers. Their appointment would certainly mean delay, and I believe that the District Officer who is really in touch with his district does not need such assistance or advice. If some plan of limiting their sphere of influence could be devised, I should have no objection to their being tried. I would limit the number of the Council to five. The Chairman or Vice-Chairman of the headquarters municipality and of the District Board might be *ex-officio* members and the three remaining members should be nominated by the Administration. The Advisory Council should be referred to only on questions of general policy or administration, at any rate to begin with. It would probably not be difficult to devise a scheme of such references. I should also have no objection to their seeing the ordinary yearly Administration Reports and letting them give their opinions on any of the matters they contain. But this would admittedly mean further delay in publication of the reports, which are often belated enough as it is at present.

The Berar *patel* has at present certain authority under the Revenue Law. I should like to see selected *patels* given something in the shape of the police powers which *patels* can exercise in Bombay. In Berar I do not think you could have the village community electing a panchayat for the disposal of petty matters. The *patel* would dispute the authority of the panchayat, which would usurp his proper functions. And having the *patel* the best thing to do is to make use of him and his authority, which, with certain safeguards, could be done.

26994. Is there any difference between the conditions which obtain in the Berar Division from those which obtain in other divisions of the Central Provinces—The whole of the land revenue system is different; Berar is raiyatwari; the people pay their land revenue direct to the Government; in the Central Provinces there is the zamindari system; that is the great difference. Then, there are different laws in many respects applying to Berar and different arrangements also in many details of administration.

26995. When it is desired to apply to Berar a Regulation which is applied to the Central Provinces, is there any particular mode of procedure?—Yes. Berar is foreign territory still, and the Governor-General has to apply it by an order in Council.

26996. Does that occasion much delay as a rule?—It creates a good deal of delay. For instance, there is a case at present in the town of Amraoti; they have asked to apply the Hackney Carriage Act there; that is a very small matter, but it means that it has to go to the Chief Commissioner

who has to go to the Government of India and eventually the Act will be applied; it takes a few months to get through these channels.

26997. The delay exists, but it is forced on the Government of India and on the Local Government by the relation of the two territories?—Yes.

26998. What is the area of Berar?—17,709 square miles, with a population of two and three-quarter millions.

26999. Is the distribution of work in Berar as between the Commissioner and the District Officers the same as exists in the Central Provinces?—Very much the same.

27000. You have had some experience in other provinces as well as in the Central Provinces?—I served for about 4 years, when I first came out to India, in Bombay as an Assistant Collector.

27001. Speaking generally is there a greater restriction upon the subordinate officers, the Sub-Divisional Officers and District Officers in this province than in Bombay?—It is very many years ago since I served in Bombay, but I should say that in these provinces the Sub-Divisional Officer is more kept in leading strings than he was in Bombay. The Sub-Divisional system in Bombay had developed much more in those days than it has here even at the present time; in fact sub-divisions in these provinces are comparatively of recent creation.

27002. Therefore, in your judgment, there remains a good deal of delegation which could be given to subordinate officers still?—It is scarcely correct to use the word delegation; the Sub-Divisonal Officer in Bombay had undoubtedly more independence; he moved about in his sub-division and did things more off his own bat than he has yet begun to do in these provinces.

27003. The officers here are no longer so junior as a Service, as they were some few years ago?—A few years ago the province was very badly off for senior men and officers were specially junior; now they are well up to the average.

27004. That is a reason in inself why some greater discretion should be given to them?—Certainly, and we have also to take into account the Provincial Service. Undoubtedly the Provincial Service has greatly improved in recent years; a better class of men has been got in, very trustworthy and capable men; of course there are exceptions, but having known this province for some time, there has been an undoubted improvement.

27005. Notwithstanding the growing seniority of the less highly placed officers, and the excellence of the Provincial Service, they are still kept in stricter leading-strings than they were in Bombay 20 years ago?—It is difficult to say that exactly. The sub-division is a new thing. Formerly the Extra-Assistant Commissioner did the work that was given to him, practically from day to day, you might say, by the Deputy Commissioner. By cutting him off and giving him a sub-division of his own and letting him run his own show, you give him a better chance of knowing his independence and feeling his responsibility. The actual powers have not perhaps changed much, but the Sub-Divisional Officer has still a want of confidence about doing things on his own; he refers more to the Deputy Commissioner than he would in Bombay; and what you want to encourage is to make a man absolutely run his own sub-division. For example, I have had diaries of an Assistant Commissioner sent to me in the last month; when he went to inspect and found things were wrong, he seemed to think it quite sufficient for him to report on them to the Deputy Commissioner. All of these things really he could have done himself, and he would have done himself if the custom were that he should do them. That has got to grow, the men have to be made to understand that they are responsible for running the whole of their sub-division. It will come in time. On one particular diary, I wrote back and said "These are all things that the Assistant Commissioner should himself have seen put right."

27006. Was that a civilian?—Yes. It was inexperience rather than anything else. Most of these things were matters which he himself had power to do, but he seemed to be diffident about it and thought the correct thing to do was to report to the Deputy Commissioner.

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27007. There are, I gather, certain powers still outstanding which might be given to Sub-Divisional Officers?—To approved Sub-Divisional Officers.

27008. Take the question of revenue, for instance?—In Berar the rules have been revised, and I think the powers which the Sub-Divisional Officer has now got in Berar are practically complete

27009. Can he remit wet revenue?—There is no such thing as wet revenue; there is nothing there practically but cotton; it is dry.

27010. Can he remit any dry revenue?—He cannot.

27011. Can he suspend it?—No, the Deputy Commissioner suspends.

27012. Could he advantageously exercise either of those powers?—I should prefer to keep them to the Deputy Commissioner. In Berar fortunately the question rarely arises. This year we had questions of suspensions and remissions, and this very point arose; we found men who at first said that we should have to suspend very large amounts; in one district; Buldana, it was going to run into a very large figure. The result of enquiries and a certain amount of control by the Deputy Commissioner was that the recommendation sent up was to suspend only Rs. 1,500, so that it was ridiculous having started it at all. I think the present recommendation to suspend Rs. 1,500 is sufficient; at any rate it is quite a sufficient index of what the scarcity has been there. Possibly had the matter been left in the hands of a comparatively inexperienced Sub-Divisional Officer, he might have made mistakes. It is very difficult in a case like the present to keep men from losing their heads, sometimes, in matters of suspensions and remissions.

27013. What are the limits of the powers in these matters of the Deputy Commissioner?—He has unlimited powers of suspension, not of remission.

27014. Should he have any powers of remission?—I would give him power to remit up to small amounts. In Berar the question luckily hardly arises, but I think the Deputy Commissioner might have powers up to Rs. 10,000.

27015. You do not mean an Officiating Deputy Commissioner?—A permanent Deputy Commissioner; there is no reason why he should not have power to remit. The question arises in Berar very rarely, and being a rare occurrence, the men do not quite know what to do.

27016. With regard to agricultural loans would you increase the powers of the Deputy Commissioner?—Yes. I am prepared to see Deputy Commissioners given much fuller powers than they have now, say, up to Rs. 5,000.

27017. It does not occur often?—Rarely.

27018. Do you get as a Commissioner any discretionary grant?—I get a discretionary grant for minor works, for small buildings, construction and repairs—Rs. 10,000.

27019. You spend that as you like?—I spend it as I please.

27020. Do you spend it yourself or through your Deputy Commissioner?—I generally give a small amount to Deputy Commissioners, say, Rs. 1,000 to each of the four districts, and let them spend it as they please on small things; the other Rs. 6,000 I spend on larger things.

27021. You have no other grant except in connection with Public Works?—That is all.

27022. Do you get many cases occurring in which such a grant could be usefully put at your disposal?—I do not know that there would be very much in Berar on which you could usefully dispose

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of such a grant. Grants are given which are practically at the disposal of the Commissioner; for instance, grants for dispensaries; the budget passes through him, and he has got his say in passing the budgets as to how he wishes the money spent.

27023. With regard to travelling allowances and small pensions and so on, have you got as great freedom as you think necessary?—I should prefer to see the Commissioner able to deal with some of these comparatively small matters in the Civil Service Regulations; most of them are very simple.

27024. Do you get many of those?—A very large number.

27025. And they take up a certain amount of time?—Certainly; you have to see that the thing is correct before you sign it and send it up.

27026. Do they generally come up in good order?—They do not, the pension cases are sometimes very tangled.

27027. Still they are of a nature that the Commissioner ought to be able to dispose of entirely?—I think so.

27028. Do you get many appeals through your hands?—The principal appeals, practically the sole appeals I should say, are revenue appeals, and there are not many of them.

27029. Do they involve as a rule sums of a large nature?—They do not involve sums so much as questions of title to lands, and some of them, of course, are of very great importance.

27030. Do most of them require to go on?—No; the Commissioner deals with them finally. His position is different from that of other Commissioners; there is no appeal beyond him except in very rare cases. In most revenue cases the Sub-Divisional Officer passes his orders; an appeal lies to the Deputy Commissioner; if the Deputy Commissioner agrees with the Sub-Divisional Officer, the order is final; no appeal goes to the Commissioner. If he disagrees, an appeal lies, and the Commissioner's order is then final. The Berari likes of course still to go to the Commissioner, in the former instance, with an application for revision, but that is a different thing from an appeal.

27031. Do you find that that contents the people?—They are quite satisfied. They have got accustomed to it. Of course there is a sign in these revision applications that they would like to have another shot at it on the off chance.

27032. Is it advisable that the Commissioner should have a budget for Public Works?—I think so. I should like to see him given greater control of the Public Works in his division than he has at present, in order to let him thoroughly know what is actually going on. At the present time in Berar we do not quite know what new roads or new projects the Public Works Department are going to take up next. We have sent up projects, but money is limited, and we do not know which they will prefer. It is not altogether the fault of the Public Works Department; I think it is partly also due to the fact that the current orders are to some extent overlooked. I should like to have much more direct dealings with the Public Works Department in order to know exactly what they are going to do, and, if they are going to make any change in the programme, what the change is going to be.

27033. Have you got the right now to call on the Executive Engineer to tell you what he is going to do?—I have the right.

27034. Do you exercise it?—I do certainly; but occasionally things get overlooked, and it creates a difficulty.

27035. What you want is to take away the the choice of selection from the Superintending Engineer and take that power yourself?—Yes. It can in present circumstances be done, but mistakes arise, which I should like absolutely to prevent by saying, "If a thing is going to be done you must tell me first."

27036. Can you post or transfer your subordinates in Berar?—I can transfer tahsildars and naib-tahsildars who belong to the Subordinate Civil Service.

27037. Can you post the Sub-Divisional Officers?—No, that is done by the Chief Commissioner.

27038. Can you transfer them?—No.

27039. Would it be useful if you could have that power?—It would be useful to allow me to transfer them; it means saving a letter; if I asked to transfer a man from A to B it would naturally be done, but it would mean a letter. It would be useful if I had power to transfer a man within my division.

27040. With regard to your relations with the provincial Government above you, have you any particular suggestions to make?—No. I have practically no suggestions to make in that respect, except in regard to matters which have been already covered, such as the relaxation of petty rules of control under the Civil Service Regulations as to pensions and so on. The relations are otherwise perfectly satisfactory.

27041. Do you find that, as a rule, you, as a Commissioner, get a full hearing from the Local Government?—I have been a Commissioner only three months, but I think that certainly one does get that.

27042. You were Chief Secretary for some time; you can speak from that point of view?—Personally I think in the Central Provinces a full hearing is always obtainable by a Commissioner from the Chief Commissioner.

27043. (*Mr. Dutt.*) The appointment of tahsildars now rests with the Chief Commissioner. Would you make any alteration in the matter of appointments?—I certainly think it is necessary that the Chief Commissioner should exercise some control; you will find that perhaps a Commissioner has got somebody to put on. Of course his advice is probably taken. But it is a useful thing before you put on a man to such an important post as that of tahsildar that there should be somebody else just to see that the man is the right sort.

27044. We had evidence before us just now that the Service of tahsildars is considerably improving; do you agree in that opinion?—I would certainly say so as regards the Central Provinces, and I think it is the same in Berar. More care has been taken in the selection of tahsildars recently than was formerly the case.

27045. Do you generally require any educational qualifications in the men you appoint as tahsildars?—I certainly always insist upon it; I am very strong on that.

27046. That the man should be a graduate?—Yes.

27047. So that generally the new appointments in Berar are graduates?—They are certainly going to be now; I do not know that they have been in the past; it is an unfortunate thing that they sometimes have not been so.

27048. You tell us that the work of the tahsildar is very heavy, and you suggest an increase in the number of tahsildars and naib-tahsildars. What would you say about increasing the number of tahsils in some districts or in some sub-divisions?—The matter has just recently been settled in Berar; we have cut down the number of districts from six to four; I did not, therefore, as I had newly come to Berar, care to say much about it. But, having been round Berar for the last few months, I think the time has already come when we could reconsider the question of the reduction of the districts. As to one district certainly, Ellichpur, a case could be made out to-morrow for doing it. As to the *taluks* in Berar, there are some *taluks* where quite a fair case could be made out for, say, splitting up two into three; it must come sooner or later, I am certain.

27049. Is the number of *taluks* in Berar about the same as the number of sub-divisions?—There are generally two or three *taluks* in each sub-division.

27050. Still, in some cases, the number of *taluks* will have to be increased in course of time?—The number of *taluks* will have to be increased, because the existing *taluk* in some cases gives the tahsildar so much work that he positively cannot get through it efficiently; he has to rush through it, and he does not see enough of the people and the actual working of his charge.

27051. You say that in some cases the Government has made very bad bargains, and it is very difficult to get rid of such men; what would be your opinion about the proposal to compel some of these men to retire on proportionate pensions?—I should favour it. Many of the men to whom I take special objection are men who are getting on towards the end of their service; they may at one time have been good enough for what was required of them in those days, but they are perfectly hopeless now; whether it is that they have got into their dotage prematurely or not, I do not know.

27052. In those cases something might be done?—I think something should be done. It is not fair to the country that these people should be still kept on under the idea that they are doing work which they are not doing.

27053. You say you are not generally in favour of Administrative or Advisory Councils, but you would not strongly oppose them if some working plan could be devised. When you form an Advisory Council, suppose there was some question on which the Deputy Commissioner wanted advice. would you favour the idea of his sending for other men also to be present at the meeting?—If you had your Advisory Council you should stick to your guns, and have the Advisory Council. As a matter of fact, the Deputy Commissioner would, as he now does, consult outside people generally, but if you have an Advisory Council I should certainly stick to it; I would not make official references beyond the Council.

27054. Do you think you could utilise the Council in any other way; are there minor duties which the District Officer could make over to them, or minor inquiries that he might call upon them to make?—You might possibly do that.

27055. You could utilise them in small administrative work of that nature?—I would have no objection to trying, if you gave me a satisfactory Council which suited me.

27056. Do you think that if they could do some work of that kind it would relieve the District Officer of a good deal of detail work?—I very much doubt if that would work. I think you would still have to see what happened and go into matters. I should not be sanguine of much relief, if any, coming in that way.

27057. In any case you would leave the District Officer to pass the final order on his own authority?—I should certainly do that.

27058. You do not think that the village panchayats in Berar would be likely to succeed at present?—Of course I speak with considerable hesitation, as I am quite new to Berar, but in Berar you have an excellent system of *patels*. The Mahratha *patel* is an excellent man as a rule, if he is properly looked after and well led and instructed. My view, at first sight, would be that you would probably have difficulties between the man in the strong position now and the up-start new panchayats; it would, I think, probably begin by leading to considerable friction in working, and it would probably not come to much in the end.

27059. Is the Berar system much the same as the Bombay system?—Very much the same.

27060. (*Mr. Hichens.*) Do you say that if an Advisory Council were appointed to a District Officer it would certainly not mean that he consulted more people, but it might mean that he consulted fewer?—I should say that he would make a reference *ex-officio* to his Advisory Council, if he had one; that would not debar him from asking anybody else he pleased; but I would not send official references outside the Advisory Council if you had one; I would confine such as far as possible to your Advisory Council.

27061. Is the provincial budget made up to-day on the basis of divisions, so that you can see exactly what is spent on each division?—No, there are no divisional figures given; of course they are all there somewhere, but it is published as a provincial budget; the division does not exist in it.

27062. Would you favour having a divisional budget?—No, I do not think there is much object in it, provided that you gave a separate allotment for Public Works; that is the main point; I do not see that it is of very great importance to have a divisional budget in other matters.

27063. Not if you had power to transfer from one head to another, for example?—I do not know that I should want it very much. I personally think it would not lead to very much convenience.

27064. We have been told in some provinces that mining regulations are somewhat restrictive; have you found that at all?—I have had a great deal to do with mining regulations from the point of view of the restrictive agency, having been Chief Secretary to the Chief Commissioner, and also having officiated as Secretary in the Department of Commerce and Industry. I think that in regard to mining you must have some restrictive powers; you must have some man who knows a good deal about the subject to guide people who know nothing about mining questions. If you do not have some general rules, at any rate to begin with, which are fairly restrictive, you will find people making mistakes, purely through want of knowledge. There was a case in the Bombay Government the other day. When I was in Simla they were fixing for thirty years a rate of royalty for manganese, which was about one-third of what we had been taking in the Central Provinces, the difficulty arising from the fact that manganese was quite a new business in Bombay. They had probably done what they had heard was done in other provinces, and had not understood the lines on which we were working here. When an absolutely new line of business arises it is very hard indeed for men who have had no experience in the matter to say straight off the reel what should be done. In mining cases, undoubtedly to begin with, I would have a great deal of control, until you have hammered out a policy. After you have done that, and people have begun to understand it, give as much freedom as you possibly can.

27065. Are there any powers in regard to mining that could be delegated to Commissioners?—In the Central Provinces you might certainly give extended powers with regard to prospecting licenses; I think the Chief Commissioner either intends to do so, or has already done so; but I have not dealt with mining cases for the last two or three months. Now that we know what the whole thing means, it will be quite right to give extended powers. I believe the intention is in the Central Provinces to give extended powers, now that we know where we are; but to begin with you must go cautiously.

27066. A man has to have a certificate of suitability?—Yes.

27067. That has to go to the Chief Commissioner?—Yes.

27068. Do you think that that power might be given to the Commissioner?—I think so on the whole. At present, under the mining rules which have been sanctioned by the Government of India, the latter would have to be first asked whether such delegation would be permitted. The Government of India have laid down these mining rules rather rigidly in order to save trouble arising. I quite agree that you ought to have rigidity to begin with. That is the view I take as being one who has sat at the top and seen the mistakes that have been made, unconsciously, by men who did not know better.

27069. (*Mr. Meyer.*) As regards the mining rules, the Government of India rules give a free hand to the Local Government in the matter of exploring and prospecting licenses?—Yes.

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27070. Therefore, so far you could delegate any powers you liked to your Commissioners?—I imagine that that is so. There is, however, that question about giving certificates of fitness; power there might be given to the Commissioner if the rules were modified.

27071. The actual grant of a prospecting license (subject to the proviso that the applicant must have a certificate from the Local Government) might be made by the Deputy Commissioner, if the Local Government thought fit to allow him to do so?—Yes.

27072. We have had suggestions from some quarters that Local Governments might be allowed to guarantee interest on light railways and other industrial undertakings financed from private capital; what would you say to that suggestion?—I should be prepared to see that done with regard to small railways of absolutely local importance.

27073. Are you aware of any action that has been taken in that way?—Not of any action; I have of course seen and heard of proposals. The matter is under discussion.

27074. You mentioned that in Berar the Commissioner held a semi-independent position. Now that Berar has been administratively joined to the Central Provinces is it likely that your position, or your successors' position, in time will become that of an ordinary Commissioner of the Central Provinces?—It is a very difficult question about which to prophesy, but I think that Berar will remain Berar for many years to come; at least I hope it will. The whole of the administration is so different from that of the Central Provinces; the raiyatwari system and the *patelki* system are so different that it must be separate, and Berar must remain Berar. I think the Commissioner there will probably nearly always have a freer hand than a Commissioner elsewhere.

27075. You think that is desirable?—I think it is desirable.

27076. To take a larger analogy, would you like the Commissioner of Berar to stand to the Government here in the same relation as the Commissioner in Sind stands to the Government of Bombay?—I do not think it is necessary to go so far as that.

27077. A witness mentioned one point in which things had changed already; he said that in the old days the Commissioner of Berar had all the other departments under his hand; has that been done away with?—Yes, as to excise and a few other matters. As to police, so far as my experience has yet gone, I have found that I have quite sufficient say in matters of police; but in matters of excise, and perhaps forest policy also, the Commissioner ought perhaps to have more say than he has at present. I say so, not so much on the ground that Berar is Berar, but generally.

27078. We have also been told that, in education, when the provinces were united there was at once a tendency to force the Berar schools to coincide with the schools of the Central Provinces in the matter of text-books; is that your experience?—I have not looked into the text-books question; but there is a certain amount of discussion going on still in Berar with regard to bringing it more into line with the Central Provinces. I have not yet had time to go into the question.

27079. In Berar have you got the Sub-Divisional Officer system really well developed?—No; it is developed thoroughly only in three separate sub-divisions. There you have got Sub-Divisional Officers who are full Sub-Divisional Magistrates as well as Sub-Divisional Revenue Officers; elsewhere the Sub-Divisional Officer is merely a Revenue Officer put in charge of one or more *taluks*; he has not got complete Sub-Divisional Magistrate's powers. There is not the same feeling that it is *his* sub-division, and that he is responsible for the work of that sub-division, as there should be. In the Ellichpur sub-division the Magistrate, if he was left long enough, would have developed it in time, but he has never been left for more than three months or so; he is hardly to blame.

27080. The Sub-Divisional Officer in the three sub-divisions that you speak of is a miniature Collector?—Yes.

27081. And you think he ought to be in other places?—Yes; I think we might go a bit further.

27082. If he were that, would it be necessary to split up the districts?—You mean, to split them up and have another district with an additional Deputy Commissioner; I think you might perhaps get on with the present four.

27083. Before you started splitting up the districts, would it not be desirable to try the delegation of powers?—Yes, I have no objection to trying it.

27084. In revenue matters the Sub-Divisional Officer was, in Berar, invested with the delegated powers of a Collector, and then appeals went on to the District Collector?—Yes.

27085. Whereas in the Central Provinces they skipped the District Collector and went straight to the Commissioner?—Yes.

27086. Speaking as a Central Provinces officer, would you like the Berar system extended to the Central Provinces?—Certainly; it has worked very well in Berar so far as I have seen.

27087. In the Central Provinces the sub-divisional system, such as it is, has only been introduced about three or four years?—That is so.

27088. Before that the only real administrative unit within the district was the *tahsil*?—Yes.

27089. And the Collector's assistants were all working at headquarters, doing such work as might be given to them?—Yes, practically almost from day to day.

27090. These three real sub-divisions in Berar were given out-post allowances; what was that on account of?—The extra importance of the charge; it was done on the Punjab model.

27091. Has it been converted into a seniority allowance?—That has been the tendency.

27092. There have been constant transfers because they have put the senior Assistant Commissioner in, in order that he might draw the allowance?—I do not know that it is that he might draw the allowance, but according to the importance of the post the senior man has come in.

27093. We have heard about the desirability of the Local Government being able to have a free hand in regard to local allowances. Is there not always this risk, that the local allowance will come to be looked on as part of the officer's emoluments?—I cannot say that; but undoubtedly there has been the tendency to put in the senior man. In Ellichpur the senior man has been put in, not on account of the local allowance, but because of the importance of the post.

27094. Do you think that if there had been no local allowances there would have been all these postings and transfers?—I should not like to say that I am sure of that, but the fact remains that there have been; that is the objection.

27095. Might they not be diminished by abolishing the local allowances?—I should give the man at Ellichpur a local allowance; I should like to see something done to differentiate it.

27096. You are dissatisfied with the question of appeals by public servants. That is rather complicated?—It is very complicated.

27097. It is based on the Bombay law?—I find fault with the law about the Rs. 35 rule, that no appeal lies; I think it is rather unfair.

27098. As it is worked in Bombay, the Commissioner cannot interfere in the matter of a subordinate under Rs. 35, but the Local Government does it straight away, in exercise of their powers of revision; do you have the same sort of thing in Berar?—I have not known a case arise. I have had an appeal of a man dismissed by the Deputy Commissioner somewhat summarily, but I did not interfere on revision, as he was a new man, and probably the best thing was to get rid of him straight away; had he been an old hand I should have said that the dismissal was undoubtedly far too summary.

27099. You are in favour of a simple rule—one appeal on all points, and in certain cases a second appeal?—Yes.

27100. Your idea is to take the basis of pay; it has been suggested to us by other people that you should take as your basis the severity of the punishment; that a man who is dismissed, in view of the serious issues at stake, might have a second appeal whatever his rate of pay, but that a man who has been punished otherwise should have only one appeal?—Yes, I should be prepared to agree to that.

27101. As regards the District Officers it has been suggested that they should not all get additional powers as a class, but that additional powers should be given only to those who are thought fit to exercise them; what is your opinion as to that?—It is rather a difficult question; it would be a good thing to make a differentiation between a duffer and a good man.

27102. It would be rather invidious?—It would be rather invidious, but it may be necessary; it depends a good deal on the extent of the powers you give.

27103. Might it not be argued that the man to whom you have refused the larger powers that you give to his confrère is not fit to be a Collector at all?—You might argue in that way, undoubtedly.

27104. You have spoken of more stringent dealings by Government with unsatisfactory employees; would you apply that to the Indian Civil Service also?—I would; I have seen cases where it was very necessary to do so.

27105. There are certain men who have become Deputy Commissioners who are really not fit for the post?—That is so.

27106. You would not have allowed such men to be Deputy Commissioners?—I strongly hold that.

27107. If you had a man who was fit at the time you appointed him, but later on went to pieces from any cause, would you remove him?—Yes, undoubtedly.

27108. If you thought he was not likely to be of any use in a subordinate capacity would you get rid of him on a proportionate pension?—Yes.

27109. Up to the present the selection has been by seniority tempered by occasional rejection?—That is the way it has been put.

27110. Would you make a selection, taking the best man among the senior class, rather than the man who stands next for promotion and is not thought unfit?—I would go in very strongly for selection.

27111. As regards suspensions and remissions, the Government of India have issued a general rule laying down the proportionate remission which may be given in connection with the proportionate crop that has perished?—Yes.

27112. That being so, is it necessary to distrust the Deputy Commissioners?—If you could get a man who could give you a decent estimate of what the crop is, that would be all very well; it is a very difficult matter; in Berar, in the present year, had we trusted to the Land Records Staff and taken their estimate of the crop in November, we should have been distinctly led astray. You want somebody with a head on his shoulders to see when these people are exaggerating grossly about the out-turn of the crop and when they are not.

27113. The difficulty is a reliable estimate of the crop?—Exactly, that is the thing you want to get hold of.

27114. You say you would not object to Deputy Commissioners remitting up to Rs. 10,000; that is, within their district; you are not speaking of a general calamity?—No, I think there you have larger considerations coming in.

27115. And there the suspension rules cover everything that is needful?—That is so.

27116. It is laid down that after a certain time the revenue that has been suspended and cannot be recovered is automatically remitted?—Yes, it falls in for remission.

27117. When you have the automatic remission coming in, might not the Deputy Commissioner be entrusted with the power?—I think so.

27118. We have been told that at present all remissions in this province have to go up to the Chief Commissioner himself?—Yes.

27119. That is surely unnecessary?—It would be under the automatic revision system.

27120. You are in favour of giving the Deputy Commissioner power to remit up to Rs. 10,000—what power would you give the Commissioner?—I should say up to Rs. 50,000, or something like that.

27121. So that practically the Commissioner ought to be free from the details of this part of his work?—Certainly.

27122. In all cases where the Land Acquisition Act has to be applied notification by Government is necessary; would you be in favour of allowing the Commissioner to deal with acquisitions under a certain value?—I distinctly think so. I have not gone into the matter carefully yet; every reference of every kind and description, even cases of reducing the rent of a field by Re. 1-0-0, have to come up to the Commissioner. I should allow the actual acquisition of land and the payment up to a certain price to be dealt with by the Commissioner, and the remission of rents, which is purely automatic, to be dealt with by the Deputy Commissioner. Big acquisitions, involving large amounts of money, should go to the provincial Government.

27123. You may be allowed under this proposal to notify the taking up of a piece of land; it turns out to be, or is alleged to be, a piece of land to which some sect of Hindus attaches some particular sanctity; those matters might reasonably go up?—Yes, that would be a matter where you might allow the Local Government to come in.

27124. Could you not solve it in this way, that the Commissioner should issue the preliminary notification, and that if there was a serious objection the matter should go to the Local Government for determination?—I should agree to that.

27125. What is the position of naib-tahsildars in the Central Provinces proper?—The naib-tahsildar in the Central Provinces proper is an assistant to the tahsildar; he carries out the duties of the tahsildar with practically the same powers; he can hold an inquiry and submit a report, and generally he does the work that the tahsildar does. I want in Berar to give the naib-tahsildar the same powers as the tahsildar, with the exception of one or two matters which we had better keep in the hands of the tahsildar for the present. I want to see the naib-tahsildar a man who can pass an order and write a report. At present he examines witnesses, and sends up a bundle of papers to the tahsildar, who writes an order on those statements; if they are lengthy the tahsildar may not study them properly, and very often pass a wrong order; I want the naib-tahsildar to pass his own orders.

27126. With a right of appeal?—With a right of appeal to the Sub-Divisional Officer; the Sub-Divisional Officer hears all appeals from the tahsildar's orders.

27127. Therefore you would make the naib-tahsildar, so far as he deals with these cases, a joint tahsildar?—Yes.

27128. As regards hereditary village claims, do you have to send up many things to the Local Government?—Not to the Local Government; the Commissioner has pretty complete powers with regard to hereditary village claims in Berar.

27129. Is it the same in the Central Provinces proper?—There are none practically in the Central Provinces proper.

27130. Have there been many transfers between the Central Provinces proper and Berar since the junction?—There has been one transfer of an officer from Berar to the Central Provinces, and there have been some transfers of junior Civilians to Berar from the Central Provinces, and of course there has been some interchange of Provincial Service officers.

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27131. Do you think there will be a constant flux and reflux as between Berar and other divisions of the province?—I do not think that the flux and the reflux will be a very great factor. Until you get a race of Central Provinces men who are trained up in Berar, so to speak, I should prefer to see the Berar officers left alone.

27132. When you speak of Commissioners having to countersign bills, I suppose you mean those of the Deputy Commissioner?—The Deputy Commissioner under a recent order has to pass the bills of all tahsildars and officers subordinate to tahsildars, and only the bills of the Deputy Commissioner and the officers immediately subordinate to him—the Sub-Divisional Officers—come to the Commissioner.

27133. Why is it necessary that they should go to the Commissioner at all?—Personally I should be in favour of going further and letting the Deputy Commissioner countersign. The reason apparently of the present regulation is that the clerks in the Deputy Commissioner's office might prepare bills, and the Deputy Commissioner might sign them without looking at them; I do not see why that sort of thing could not be detected in the Deputy Commissioner's office.

27134. We have been told that in Bengal the District Superintendent of Police has to send his travelling allowance bills to the Deputy Commissioner; is that done here?—I do not know whether it is done now; it used to be done in the Central Provinces.

27135. You speak of the accounts objections to petty expenses of municipalities and District Boards, and you mention a case where the Auditor objected to the purchase of four pair of boots for coolies who had to enter plague infected houses. Has the Government of India ever issued an order that this sort of thing should be done?—Not at all; these are all orders which have been embodied in the codes. Possibly these orders might have come from the Government of India in the Foreign Department originally, as they apply to Berar, but the account restrictions in the Berar District Board and Municipalities Manuals are quite out of date.

27136. And could be swept away entirely by the Local Government?—Exactly.

27137. We have been told that there are similar restrictions in the Central Provinces proper?—I do not think they can be as bad as they are in Berar; the rules simply want revision. It may be that it was necessary to have stricter control over the District Bodies in those days than is required now; as we move on we must revise our rules; it is purely a local matter.

27138. Your Local Bodies are tied down at present?—They are, they have very little independence.

27139. It has been suggested that most of the roads that are now provincial should be handed over to the District Boards?—That matter has just been taken up by the Chief Commissioner with reference to the appointment of an Engineer. Unless you can get a good engineering staff it would not be possible, but given a good engineering staff there is no reason why the Local Bodies should not have a free hand.

27140. And given resources?—They have very large resources; it is merely a question of working out a scheme which will be properly workable.

27141. This scheme will be applied not merely to Berar, but to the Central Provinces?—I do not know about the Central Provinces; the Central Provinces Boards are so poor, I understand, that they could not afford to have a separate Public Works staff.

27142. What does Berar do now with the resources that you say are available?—I cannot remember the exact balances, but probably the balance of the Amraoti Board is between 2 and 3 lakhs, as it has not been spending up to its resources; the annual budget I suppose is about 3 lakhs.

27143. Take matters like veterinary work and dispensaries; from what we have heard, it seems that all the District Boards are concerned with is the privilege of paying—that the management is entirely foreign to them; is that a sound position?—Veterinary dispensaries are under the Agricultural Department; the District Boards have nothing to say to appointments or dismissals or anything else; it is rather a difficult question to hand over any measure of control to the District Board; it is a pity you should not do so, but as a matter of practice it is difficult to hand the control of the veterinary hospitals over to them.

27144. If, as a matter of policy, you decide that they should not be handed over, is it not rather hard to make the Board pay for them?—It is hard, undoubtedly.

27145. In the same way as regards dispensaries?—Yes. The dispensaries are managed by local committees, and frequently one of the chief men of the local committee will be a District Board member, so that in that case you might treat the Dispensary Committee as practically part and parcel, or to some extent part and parcel, of the Board.

27146. You might perhaps do what is done in the case of English bodies at home; you might have a Committee consisting partly of the Board members and partly of co-opted members—outside people?—Yes. That would practically come to the same thing as is done at present.

27147. Do Local Boards in Berar do much?—I have as yet been unable to see that they do anything at all.

27148. Would you be in favour either of abolishing them or of giving them some real status?—I should be in favour of giving them some real status and seeing what they could do; I should not care now to abolish them, but certainly they want something more than they have at present; the work given to them is generally beneath contempt; you could not expect men to do the trivial things that are sent to them to do.

27149. So far as "the stimulating action of local self-government," about which so much has been written, would apply, it would apply more to a small area than to a big one?—Undoubtedly.

27150. Might it be possible to adopt something like the Madras system, under which the Local Board gets half the cess and other local receipts, and has its own financial responsibilities?—You would have I think to recast your Boards to some extent; you might begin in a small way at first, and give them a certain definite amount, fixing upon them the responsibility for what you gave them. I should not like to give the *taluk* Boards in Berar for some years to come half the local receipts. I do not blame the Boards; they have never had a chance.

27151. In the Central Provinces proper we have been told that the *taluk* Boards are really merely doing the work of the District Council; is that so?—Yes.

27152. Would you give the Boards greater powers?—Yes; if we are going on with this business at all we ought to make an effort in that direction; I have held that opinion for a long time.

27153. (*Sir Steyning Edgerley.*) You said, chiefly as regards mining, but also as regards other things, that when a thing is new you must keep it pretty much in your own hands. That would occasionally touch the sphere of legislation also?—Yes.

27154. Have you thought at all as to the best legislative procedure?—I have not thought over the matter. I think a good system of legislation is the one that has been recently adopted in the matter of the Civil Procedure Code, to lay down general principles and allow the Local Administrations to more or less shape their own course, once the main general principles are inaugurated.

27155. There are the two courses of a general Act of delegation and a special Act for special purposes; have you any opinion about that?—No, I am afraid I have not considered it.

27156. Would you be in favour of a general Act subject to notification?—Yes.

27157. As regards the question of proportionate pensions; standing alone, do you think that that might affect recruitment, as affecting the prospects of officers in the Service?—I do not think it would necessarily affect recruitment; the number of candidates who crave for Government service at present shows no sign of falling off.

27158. But you have not got the proportionate pensions now?—Even if you had, I do not think it would affect recruitment.

27159. Any effect of that sort could be counterbalanced by improving the pensions of men who succeed?—Yes, that would quite counterbalance it.

27160. The Berar Revenue Act is the Bombay Act practically, is it not?—Practically.

27161. Do you know Section 11 of the Act which provides power to enable the Collector to delegate all or any of his powers to his Assistant, subject to revision or appeal. Suppose he delegates the powers of punishment of a clerk up to Rs. 35 to his Assistant; the result is that the man is punished by one officer and gets one appeal; is not that all that is necessary?—That had never been done in Berar. The Collector in Bombay delegates his power to the Assistant to punish a clerk, and then there is an appeal to the Collector; at present, in Berar, the Deputy Commissioner only exercises that power.

27162. You think that an Assistant Collector is competent to punish a clerk?—Yes.

27163. And that one appeal is sufficient?—Yes.

27164. So that the provisions of the Act might apply in that way?—Yes; that has not occurred to people in Berar.

27165. (*Sir Frederic Lely.*) With reference to the reduction of the districts in Berar from 6 to 4, is that an instance of an order of the Supreme Government imposed on the province in opposition to all local opinion?—The matter came down from the Supreme Government, and a Committee was appointed to carry out this reduction; the Central Provinces Government, who had just taken over Berar, had no local opinion of their own on the matter; the local opinion of Berar was very much against the reduction.

27166. Are you aware whether that was ever represented to the Government of India?—I do not think it was represented to the Government of India, unless possibly a telegram may have been sent up by somebody; there was no real representation.

27167. So far as you are aware the order was given without any local enquiry at all?—I think so; an officer came down from the Government of India and submitted a preliminary report; he came down and looked round to see what could be done, and on his report, after the settlement was come to with His Highness the Nizam, the matter was passed.

27168. You think that that was a mistake that will have to be rectified?—Subject to what I have said—that you might go on and try the effect of further sub-divisions and a greater number of them—you might get on with your four districts, but certainly, with the sub-divisional system that we have at present, it is extremely hard work for the Deputy Commissioner in the two larger districts of Amraoti and Akola.

27169. As to a Public Works Department budget in the hands of the Commissioner, do you not think that one effect of that would be that he would consult with the Heads of Departments?—Certainly.

27170. And that would be useful in promoting an understanding and co-ordinating matters?—Yes.

27171. Is it admitted that it is of great importance to preserve the peculiar institutions and customs of Berar?—I think so undoubtedly.

27172. Are you satisfied with the arrangements that have been made for securing that?—Yes, a Berar officer has been appointed Secretary. He deals with the revenue matters which are peculiar to Berar. Other matters, although they may be peculiar to Berar, are dealt with in other departments.

27173. You do not think there is any objection to that?—I think not; in some matters, such as the Municipal Boards and District Boards and matters of that kind, I should prefer to see one Municipal Act and one District Boards Act; they are practically the same in every detail, and I would rather have one set of rules.

27174. That would be doing no violence to the peculiar constitution of Berar?—Not at all; it has been suggested that some violence would be done, but it was merely sentimental; I think no violence would be done in that respect.

27175. Section 11 of your Land Revenue Code in the Central Provinces provides that the Chief Commissioner may invest an Assistant Commissioner attached to a district with the powers of a Deputy Commissioner; is there any corresponding section to that in the Berar Law?—There is a corresponding section; the Commissioner there invests: the Deputy Commissioner may invest, but as a matter of fact it is done with the approval of the Commissioner; I think that is how the rules put it.

27176. Are you satisfied with that?—It is quite sufficient. The Deputy Commissioner as a matter of fact might do it off his own bat in most cases.

27177. Would there be no objection to that?—There would be no objection to allowing that. The Deputy Commissioner knows really more about the officers than the Commissioner does; he gives these powers under the Land Revenue Code; the section reads that the Deputy Commissioner "may" invest, but he does it with the approval of the Commissioner.

27178. Would there be any objection to his differentiating between his Assistants according to their seniority and capacity?—It is necessary. In some cases you get a man who is newly appointed or newly promoted; you give him certain powers to begin with, and, as he gains experience and shows that he is worthy of them, you entrust him with further powers.

27179. Some people think it is invidious?—I do not think it need be.

27180. Is there not a very distinct village constitution in Berar which you do not find in the Central Provinces?—Yes; you have the *patel* with the *patelki* families, and you have the cultivating classes and then the *mahars* and the outcastes.

27181. You have mentioned the *patelki* families; do they not constitute a sort of aristocracy in the village out of which the panchayat would be chosen?—Yes, you might have a panchayat out of the *patelki* families if there is a sufficient number of them; in some places you have only a one-man family you may say. In Berar the *patelki* has been practically recognised in the direct succession; the *patels* are lineal headmen.

27182. But the collaterals would assist?—Yes

27183. The panchayat could be formed from these people?—That is the only way you could tack it on to the *patelki* institution.

27184. Would you agree that if we are to get any popular help in the work of Government the basis should be the village panchayat?—I think so undoubtedly.

27185. Have you any system for promoting Co-operative Credit Societies in Berar?—There has been something done in one district; I have not yet seen it.

27186. Have you got a Registrar of Co-operative Credit Societies?—No, there is the Central Provinces Registrar who does both the Central Provinces and Berar.

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27187. Suppose you have a Registrar, what would you say to giving him cognizance of the village panchayats as well, and as he goes about the country expecting him to encourage the panchayat movement?—I see no objection whatever to that.

27188. One of the witnesses to-day from Berar told us that the rules for touring lay down four months for the Deputy Commissioner and two months for the Assistant Commissioner, is that so?—I have not seen the rules yet. It may be the rule, but I have not seen it. It is not followed. The Assistant Commissioner stays out practically the whole four months—the whole of the cold weather.

(*The witness withdrew.*)

Adjourned.

FORTY-SECOND DAY.

NAGPUR. *Saturday, 8th February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. J. WALKER, I.C.S., was called and examined.

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27189. (*Chairman.*) You are officiating as Commissioner at Nagpur?—Yes.

I would not give provincial Governments independent borrowing powers. Such powers would be inconsistent with the absolute nature of the imperial authority and of its responsibility for all public services, which makes an imperial guarantee inevitable. Even if the imperial guarantee could be avoided, the loss owing to the difference in the market price on issue, and in the rate of interest carried, of imperial and provincial bonds would be much greater than any facility of issue would be worth.

There is some scope for the relaxation of the restrictions as to details imposed upon Local Governments by law and by rules having the force of law, *e.g.*, the power to disforest reserved forest under Section 26 of the Forest Act, which the Local Government can, at present, exercise only with the previous sanction of the Governor-General in Council. Each set of relaxations under particular Acts should be considered by the Legislature, after consulting Local Governments on its merits, and should be dealt with by specific amending legislation and not by a general Act of delegation.

The influence of the departments of the Government of India is not in the direction of excessive rigidity. There is perhaps some risk in the direction of uniformity if the department happens to be manned too exclusively by officers whose previous training has been in a single province. It should not be possible for the views of a Local Government to be overruled by a department, as distinguished from the Governor-General in Council.

The work of imperial inspecting officers is of use in collating the degree of success attained by different administrative methods in different provinces after examination of these methods in actual working and in advising Local Governments as to the comparative standard of success obtained and as to possible variations of method. Their function should be purely advisory with no direct authority.

I do not consider that the existing right of appeal requires curtailment.

A genuine effort has been made to keep down the demand for returns and other reports from Local Governments. If the attempt has not been altogether successful, this is merely due to the development of the country and to the necessarily increased complexity of the administration.

There is much scope for the extension of revenue powers of Commissioners of divisions. In some minor points, such as the remission of irrecoverable land revenue and *takavi*, they might be given larger powers. As regards the grant of mining leases and licenses, when experience has crystallised into fuller rules there will be a considerable devolution of authority both to Commissioners and to Deputy Commissioners.

Any decentralization measures should have in view the retention of all possible authority within the limits of a district rather than that of a division. The more the principle that the district is the unit of administration is acted on in practice the better. It is desirable that a good District Officer should have a free hand as far as possible and that this should be apparent to his charge. Commissioners can keep in sufficient touch with their District Officers to control the general executive policy followed by them. Our existing system of administration is generally in accordance with this principle. The cases in which the Deputy Commissioner requires the previous sanction of the Commissioner are mostly of a class in which such reference is not inappropriate. But the following matters seem to me to be susceptible of improvement. The District Officers should, as far as possible, be the first appellate authority for revenue decisions of his subordinates. The investiture with the powers of a Deputy Commissioner of the majority of Sub-Divisional Officers has eliminated the Deputy Commissioner from the disposal of many classes of cases which ought to be settled up to first appeal or even second appeal within the district, *e.g.*, *kotwar* and *lambardar* cases. The Land Revenue and Tenancy Acts should be altered so as to empower Deputy Commissioners to deal with appeals from all officers subordinate to them under Section 6 (2) of the Land Revenue Act. This may involve some devolution of authority from the Deputy Commissioner to his Assistants and from Assistants to tahsildars, and in the large districts probably some strengthening of staff, but the principle is worth it.

The powers of Commissioners and of Deputy Commissioners and their subordinates regarding matters of general administration are on the whole adequate. It would be well to restore the Deputy Commissioner to the position of technical "Court of Wards" of his district. This would increase his influence in Court of Wards matters generally. He might be given increased financial powers to

sanction petty unusual expenditure and to make budget re-appropriations.

The present power of control over expenditure in divisions and districts exercised by Commissioners and Collectors is, on the whole, adequate.

The provincial Secretariat is not given to adopt a too purely departmental point of view. Such a tendency is not likely to be exhibited when each Secretary deals with several distinct departments of the administration. This, however, is not the case with the Public Works Department, which is unique in having a separate Secretariat of its own. Such an arrangement makes for a spirit of departmentalism, and I am not at all sure that it is the only possible course.

I do not think that there is anything to complain of regarding the sufficiency of the Commissioner's influence in matters appertaining to Departments other than Land Revenue. But the administration of the Public Works Department should be brought into line with that of other departments, and worked on the basis of the district being the unit of administration. It has been found possible to make the equally technical Medical and Forest Departments integral parts of the district administration under the general control of the District Officer, and such control would be equally salutary in engineering matters and could be exercised with no more interference in technical subjects than in these departments. When the Executive Engineer's charge extends to more than one district, the matter can be arranged as in similar instances in the Forest Department.

Executive Officers have as a rule sufficient opportunities for personal contact with the people. The amount of time that can be spared for the purpose of interviews is somewhat limited by the pressure of regular official duties, and in the larger places it is often difficult to receive Indian gentlemen except at a good deal of inconvenience as to hours of working. Opportunities for contact are also afforded on tour. It is not the amount of opportunities for contact, but the quality of the contact possible that is defective. Owing to the difference of manners and social customs between East and West, social intercourse between officials and the leading gentlemen of the country is limited, and the opportunities for the candid interchange of ideas which such intercourse affords are largely lost. This obstacle is most difficult of removal, and can only be gradually removed by change of manners, more especially in respect of the education and liberty of women.

Executive Officers generally possess sufficient knowledge of the vernaculars.

The executive staff has been repeatedly increased, but, as work tends to become more complicated and contentious, the increases can never quite keep abreast of the needs. It may be said generally in the Central Provinces that the areas of tahsildars' charges are somewhat too large. This point is recognised. District charges vary very much in area and in general burden of work. As the Chanda district develops it will undoubtedly require to be divided. Probably some division of Nagpur may be advisable. When the district headquarters is a large centre, and particularly when it is the capital of a province, it is desirable that the *mufassal* portion of the District Officer's charge should not be very large or important.

A very strict application of the principle of selection to the appointment of officers to the charge of districts would tend to diminish the attractiveness of the Indian Civil Service as a whole. In any case it would not be possible to arrange that the charge of the districts should be always held by officers whose experience, judgment and temperament are such that a closer and more local supervision of their administration of their charges than can be exercised by the Local Government is not essential. Such supervision is to be exercised by Commissioners, and their authority and power of control in all matters of administration should be of the fullest, but should take the shape, as far as it is not exercised executively, of appellate or revisional power rather than of original orders.

Of late years, at any rate, all possible care has been taken to avoid the unnecessary transfers of officers. I do not see how transfers can be reduced, but as the Indian element in the *personnel* of the staff increases, transfers will be less frequently necessary, as these officers require less leave than European officers.

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The existing powers of municipalities, District Councils, and Local Boards are on the whole sufficient. There has been less a lack of statutory power than a lack of reality of its exercise by the non-official members of these bodies. This defect has its root in a first cause which, while it exists, must entirely prevent any reality of local self-government, *viz.*, the want of any electorate interested in such government. Members of local or municipal bodies must be subject to the control either of their constituents or to that of Government, and so long as the constituencies (or rather the small portion of them that interests itself in the subject) cannot be regarded as in any sense voicing the feelings of the bulk of the ratepayers, the preponderating control must be that of Government. It is easy enough to stimulate the interest of members by giving them larger powers; the real difficulty is to stimulate the interest of the electors so that they, rather than Government, should control the conduct of their representatives. If this stage were reached, it would be well worth the cost of a certain amount of mismanagement to give elected bodies the fullest powers even though the bulk of Indian ratepayers may regard the easing of direct taxation as cheaply bought at the cost of increased dirt and disease. But this stage has not been approached even in municipalities.

I would not extend the functions of local bodies at present.

I am not in favour of formally appointing unofficial gentlemen as advisers or councillors to District or Divisional Officers. I do not think that the fact of formal appointment would induce the gentlemen best qualified to advise to give more assistance than they do at present. It would be impossible and unwieldy to appoint everyone worth consulting, and the distinction between those who have to be formally consulted and those who could be only informally consulted at discretion would be invidious. The matter is best left to the discretion of Divisional and District Officers at least until electoral control of local bodies is more real.

It would be most inexpedient and retrograde to invest District Boards with powers of supervision and control over any municipalities. It would be a mistake to subject more truly representative bodies to the control of less representative ones, though the latter may happen to have charge of larger affairs.

If truly elective panchayats could be obtained for small groups of villages, they would form a good basis for a system of local self-government. The main difficulty would be in stimulating sufficient interest on the part of the body of electors in the constitution and doings of such panches without assigning to these panches functions for which they are hardly suitable. For example, if panches are given petty civil and criminal powers, we get a system whereby judges hold their office by election, and it is the foreign idea of electoral Government that has to be taught. Also when a community has acquired the congenial habit of taking their petty disputes *into* regular Courts, the denial of this form of relief would be felt to be a hardship, however wholesome it was in reality. Still, on the whole some such system is worth elaborating and trying in a selected locality.

27190. Are you in agreement with the previous witness, who told us that he thought some greater latitude had been given with regard to mining leases and licenses?—Yes; I have now authority to grant prospecting licenses up to one square mile, provided there is no question of principle involved. A Mining Manual is under preparation, and when it comes out probably a good deal more power will be given to the Deputy Commissioner.

27191. What is the area of your division?—About 24,000 square miles. It includes five districts.

27192. Are you of opinion that Sub-Divisional Officers should reside at their sub-divisional headquarters?—Where the headquarters include any

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town of importance they ought to reside there, but I would not make it the invariable rule, because there are some parts where their health would not stand it, and sometimes a district is not well placed or constituted for having a Sub-Divisional Officer living there. One has found it of advantage to live throughout the year in two districts in this province, and we have had them living in the sub-divisions for a long time.

27193. As a rule do Deputy Commissioners do their work well?—Yes; the average is quite satisfactory, and you very seldom find a man who is not quite fit.

27194. If it were necessary at any time to make a practice of retiring or selecting officers for promotion, at what period of their service would you commence the work of selection?—After about ten years' service; some men qualify or ripen more slowly than others.

27195. But after ten years' service you would begin to reject?—Yes; some rejection would be necessary and it would be easier if recognised, but dismissal is a very serious thing. There is nothing between dismissal and retirement on pension.

27196. Would it improve the service if selection were insisted upon?—I would rather have rejection rising to the grade of District Officer, and strict selection for that of Commissioner.

27197. Do you, as a Commissioner, ever hold conferences with your District Officers?—Yes, practically one has most of them in conference, but there is no fixed conference. There is no formal practice of the sort.

27198. Would it be a good thing to do?—Yes; there might be a regulation or rule, but there is an irregular practice which we have during what we call the Commission week, when certainly the great bulk of the officials do come in.

27199. Do they all meet together, or do you take each man in turn separately?—Not together; but we had a meeting of all the Deputy Commissioners and the Commissioners in Nagpur during the last Commission week, at which the Chief Commissioner was present. I take them separately sometimes.

27200. You get annual Administration Reports from the Deputy Commissioners. Are those separate reports on each subject, or a different report for each district?—Separate reports on each subject.

27201. Would it not be better to consolidate those subjects in one report?—That would not be practicable. For general purposes, what we call the Revenue Report serves the purpose.

27202. Would it not be better to have a short paragraph on each subject embodied in one report, instead of a separate report on each subject?—It would tend to simplify the amount of writing in each special department, but the periods would have to be synchronised—for instance, the Forest Report begins on the 1st July.

27203. Would it be very difficult to get them all running concurrently?—No.

27204. Do you post your subordinates?—I post and transfer tahsildars and naib-tahsildars.

27205. Would it be well that you should have the power of both posting and transferring your Assistant Commissioners?—Yes, when once they are assigned to a division by the Chief Commissioner—having got them, a Commissioner might transfer them.

27206. Generally speaking could the powers of municipalities, District Councils, and Local Boards be increased?—There is not much scope for increasing their powers which are very full, especially to municipalities; the control is very complete over them, but they have the power.

27207. Is the control too close?—I do not think so.

27208. Does the system of non-official Chairmen work well?—Very well indeed where we have it, such as in Nagpur for instance.

27209. Does the practice work well with regard to District Councils?—Yes.

27210. Is it practically universal over the Central Provinces?—Yes; the Chairman is generally a non-official, and if it is not the Chairman it is the Secretary.

27211. You are not in favour of Advisory or Administrative Councils?—No, not formally constituted.

27212. Things would be better left to informal consultation?—That is my opinion.

27213. (*Sir Frederic Lely.*) Do you think, other things being equal, a Sub-Divisional Officer should live in his sub-division?—In a good many cases he might live there permanently.

27214. In cases where there are reasons against it, would you approve of providing him with a house in his sub-division, simply furnished, and expect him to make occasional visits there?—It would be an excellent thing to let him have a house where he could live for a part of the year, and the mere fact of his being resident in that way would bring him into closer touch with the people who would know where to find him, while as it is he moves about in tents.

27215. Is it the custom in the Central Provinces, when the Deputy Commissioner goes away for three months, to put in a man on the spot, if possible, irrespective of seniority?—Yes.

27216. Would you extend the period from three months to, say, six months in order to prevent change?—Yes, but you would have to consider qualifications a little more strictly.

27217. But if a man was fairly equal to the position, although he was junior, you would put him in for six months?—Yes, I think so.

27218. Supposing a Deputy Commissionership fell vacant this month, and it was well known that the next man on the list intended taking furlough in a short time, would you approve of passing him over?—Yes, after giving him an opportunity of foregoing his furlough.

27219. Or, to put it in another way, would you approve, when a man is put in as Head of a district, of getting from him an undertaking to remain there for, say, three years?—Yes.

27220. That would not be an unreasonable condition to make?—No, not as a general rule; it would depend of course on what the officer had been employed on before.

27221. Have you any suggestion to make for reducing the number of transfers?—No; barring what you have mentioned, we do what we can to prevent that. I know in arranging tahsildars' leave and that kind of thing one keeps it well in mind.

27222. What is your opinion of tahsildars as a body?—They are a very useful body of men, and their tone is distinctly improving.

27223. On the whole are tahsildars equal to their position?—Yes; on the whole; their position is a difficult one.

27224. Are they generally efficient and honest?—Yes, I should say nowadays they are.

27225. In the case of false rumours spreading in the country have they sufficient intelligence and loyalty to combat such rumours as far as they can?—There are some men, of course, whom one is not quite sure about, but the generality of our tahsildars do act properly in that respect.

27226. Do they recognise that as one of their duties?—Yes.

27227. Do they recognise that their duties are not merely to sit at a table and try cases, but to explain to the people the motives and intentions of Government?—Yes, I think they do as a whole, and we impress it upon them.

27228. Are patwaris, as a class, fairly efficient?—In this division they are fairly efficient.

27229. Are they sufficiently paid?—No, and there is difficulty now in recruiting them.

27230. That, of course, has its effect?—Yes, it is beginning to tell very much.

27231. (*Mr. Dutt.*) Does general appeal work give you much trouble?—It takes up a fair amount of time, but it is not at all pressing; it is not the burden of the work, it is the principle of the thing.

27232. Should the present right of appeal be curtailed?—No, not the right of appeal.

27233. You say the Public Works Department should be brought more into line with the other departments such as the Medical Department and the Forest Department. To some extent the Forest Officer and the Medical Officer are subordinate to the Deputy Commissioner?—Yes, that is quite understood.

27234. Do you recommend that the Public Works Officer should occupy the same position with regard to the Deputy Commissioner?—Yes.

27235. When repairs of roads are taken in hand from year to year, does the Deputy Commissioner always know which particular works are going to be taken up?—He is not informed as to how much money exactly is going to be spent, or whether it is to be transferred from one road to another. He ought to be informed of any changes, but first of all, of course, of what is going to be spent.

27236. Supposing he disapproved of the change, would you allow the Public Works Officer to go on with it, or would you have him modify his programme?—I should require him either to do the latter or to refer it to a higher authority, but practically it hardly ever arises, if the matter was talked over on the understanding that the Collector was the Head of the district and the other man was in a subordinate position.

27237. The Deputy Commissioner would be expected to know more of the requirements of traffic than the Public Works Officer, and for that reason his view ought to be consulted as to the works which should be taken in hand?—Yes.

27238. Is the number of *tahsils* now in your district sufficiently large?—There might be scope for perhaps one or two more. I have sanction for one more in Nagpur, and there might be another in Balaghat. Then there is Chanda with one tahsil of about 3,500 square miles.

27239. In Berar there are two or three tahsils in one sub-division, whereas in the Central Provinces the *tahsils* are about the same area as the sub-divisions?—In the Central Provinces *tahsils* have been formally declared sub-divisions, but the Berar *taluk* is a much smaller area.

27240. Is the lack of interest taken by the members of District Boards partly due to the fact that their resources are very limited?—Yes, that is undoubtedly one reason.

27241. And that a good part of their income is made over to different departments for carrying on their work?—Yes.

27242. Do you approve of the scheme of a Divisional Engineer to do the District Board work in all the districts in a division?—Yes, as an alternative to having one for each district.

27243. Would that be an improvement on the present system of having the big works done by the Public Works Department?—Yes. We have had a man actually in my division for two months, and he has given a lot of useful advice.

27244. (*Mr. Hichens.*) Would you be in favour of increasing the powers of the Local Boards?—Yes, as far as possible.

27245. Would you give them, for instance, independent financial resources?—I would let the District Council make them allotments; in fact, that is now being done.

27246. But you would not give them a definite share of the cess?—No. That was considered by the Select Committee, which reported against it. I think their reason was that the amounts would be so small.

27247. But supposing the funds of a district generally were substantially increased, might it be a good thing to give them more financial responsibility?—Certainly; you might make them independent; the Act allows us to do it, but we have never done so.

27248. Would you regard a District Board then in the same light as now?—It would become what it was at one time intended to be, an Advisory Council.

27249. Would local interests be better served if the Local Boards were considered independent and looked after their own affairs?—They would if we could make our Local Board more fully representative.

27250. Could you get enough good men in each *tahsil* to deal with local affairs?—In most *tahsils*, but certainly not in all.

27251. On the whole, would you be in favour of abolishing District Boards except as advisory bodies?—Yes, I should like to give as much power as low down as possible.

27252. In that case, should not the Local Board have the whole of the cess without its having to be allocated by the District Board?—Undoubtedly; it would come to that.

27253. Are you of opinion that transfers are undesirably frequent?—They are unfortunately frequent.

27254. How long do you think it would be desirable to keep an officer of the rank of a Deputy Commissioner in one district?—Five years.

27255. Would that be the limit?—Yes; after five years he may move on.

27256. Is that on the ground that you think he would be stale after five years?—Yes, he would get parochial in one district.

27257. Would it be possible to establish the principle that a man's training should be as wide as possible until he reached the stage of Deputy Commissioner, and then as he has got breadth of view and experience he should settle down, say, for 10 years, if possible, in one place?—Yes.

27258. If that were the principle, would it be desirable in his junior years that he should obtain experience of several provinces?—After a certain amount of experience in one province it might be useful, but it would tend to confuse him at first.

27259. Supposing he went for two years to another province to see how the work was being done there, would that be a good thing?—It would be of advantage in that way.

27260. (*Mr. Meyer.*) Suppose a District Council became an advisory body purely, what would its functions be?—To advise on general questions of administration; if it did not have the allotment of the funds, it would certainly be of very little practical good. I do not think there would be very much left.

27261. Would it be worth while having a District Council with no administrative powers and no financial powers, but simply to express views and opinions to Local Boards?—But still one desires to link the different Local Boards together in some way.

27262. In Madras Local Boards have powers and resources, but the District Boards have larger powers and resources; would you be prepared to carry that out here?—I do not quite remember the details of the Madras system, but if it was possible still to leave the District Board something really to justify its existence one would be glad.

27263. In that case it would have to get some income, either by contribution from the Local Boards, or independently?—Yes. There is the Government contribution.

27264. It has been suggested that the roads which are now mainly provincial, might be made over to the District Councils, their funds being increased for the purpose; would you be in favour of that?—I have never thought that over, and on the whole I would be in favour of it, as helping them with their engineering staff.

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27265. Would you be in favour of giving the Commissioner a budget of his own for Public Works purposes?—Yes.

27266. Would you allow Commissioners, within budget allotments, to make small permanent or temporary appointments?—They might do so.

27267. Would you allow them to appoint tahsildars and naib-tahsildars?—No; that is much better kept as a provincial matter, but in practice the Commissioners do settle it now in conference with the Chief Commissioner. We draw up a list of candidates and settle their order, and the Chief Commissioner decides it.

27268. Then what is the objection to giving each Commissioner his own appointments to make?—That makes promotion unequal in different divisions.

27269. You cannot appoint naib-tahsildars at present?—No, not permanently.

27270. Would you give Commissioners power, subject to conditions of fitness laid down by the Local Government and in consultation with the Judges, to invest their officers with magisterial powers?—Yes; the Commissioner might very well have that power.

27271. You say that the local bodies have sufficient powers, but is it not the fact that for every re-appropriation of the budget they have to come up to you?—Yes.

27272. Is that necessary?—No; that is very much all detail.

27273. It is all these details that make up the amount of work?—Yes.

27274. Is it necessary that they should come up to you for every re-appropriation of their budget?—I do not think it hampers them very seriously; one likes to keep control of the budget.

27275. At present they have to send up re-appropriations, not merely from one major head to another, but from sub-heads. What is to be gained by that?—I think as to sub-heads it is not necessary.

27276. At present every work that costs over Rs. 500 has to come up to you for sanction; is there much gained by that?—I think it is Rs. 500 as to the Deputy Commissioner and Rs. 1,000 as to the Commissioner in the case of municipalities and Local Boards.

27277. Might these limits be raised?—Certainly. I would suggest Rs. 5,000.

27278. Are some of your municipalities quite small bodies?—Yes, with incomes of Rs. 6,000 or Rs. 7,000.

27279. Is it desirable to keep them as formal municipalities, or might they not be put under the District Boards?—But there is more reality of local self-government in a municipality than there is in a Local Board, and they do take an interest in the administration.

27280. It has been stated that the District Boards will hereafter practically have no control over the veterinary work although they will have to pay, and it has been suggested that it would be better to let the provincial Government take it over altogether; do you agree with that?—Yes; in fact, I recommended that it should be done on the same lines as the medical dispensaries.

27281. Do they contribute to the medical dispensaries?—Yes, but Government finds the staff.

27282. Have District Councils anything to say in the management of dispensaries; are they not practically managed by the Civil Surgeon?—Yes; they do not pay very much, perhaps Rs. 200 a year.

27283. Is it a sound principle of local self-government that a District Council should pay for matters which it has no control over?—Not entirely, but I do not think the giving of a small amount of Rs. 150 or Rs. 200 towards an institution which is managed by a local committee, like a dispensary, is improper.

27284. Are these grants compulsory?—No; when a new dispensary is proposed, the Council is consulted, and asked for a grant; if they refused it would fall through.

27285. Supposing a municipality were asked to contribute and they said they had no funds and refused?—If they said "We cannot afford to pay this extra Rs. 200 and there is no need for a dispensary there," it would be considered.

27286. Does most of the appeal work go to the District Magistrate as a rule and not to the Sub-Divisional Magistrate?—Except in large districts.

27287. Might not the Sub-Divisional Officer take appeals from 2nd and 3rd Class Magistrates?—Yes, he might; I have recommended that in the Nagpur district, and it has been approved.

27288. (*Sir Steyning Edgerley.*) You think that relaxation under particular Acts should be dealt with by separate legislation and not by an Act of delegation; is that your final opinion on the point?—No; on thinking it over, I think a general Act of delegation would be quite unobjectionable, provided there is some provision as to notification for objections and a period allowed.

27289. Your present belief is that a district should be the unit of administration; does not that involve, as well as delegation to the Deputy Commissioner, a full staff below him and placing the power so far below him as is safe?—Yes.

27290. With an appellate and revisionary power in the hands of the Deputy Commissioner?—Yes.

27291. It involves rather a fuller staff of assistants than you really have?—Yes, a little, but it is not such a serious thing as it sounds.

27292. Would you hold the same principle as regards the Commissioner and that he should have every power that could possibly be given him without disadvantage to the administration?—Yes.

27293. And you would relieve the Chief Commissioner in that way?—Yes.

27294. You think there should be some system of proportionate pensions for officers who do not succeed, and you hinted that that might possibly diminish the attractiveness of the Service; could you not counterbalance that by improving the prospects of those who succeed?—I meant if selection to charge of districts were as strict as selection to charge of divisions.

27295. Would a scheme of proportionate pensions *pro tanto* decrease the attractiveness of the Service?—If it were the rule and not the exception.

27296. Could you not counterbalance that by improving the prospects, at the end, of those who succeed?—Yes.

27297. With regard to Local Boards, is what is chiefly required an interest on the part of the electorate?—Yes.

27298. If a Board had power of taxation, would that be secured in any degree?—Yes, it would tend to vivify the interest of the electors.

27299. Is not that one of the main differences between a municipality and a District Board?—Yes, but our Local Boards do not profess to be a popular representative body; they are elected by the *mukaddams* or village headmen, which does not make it a popular body.

27300. Would it be a good change to make it popular?—I think we ought to try.

27301. If that were done, would you give them powers of taxation?—After the elective principle is established, I would.

27302. Suppose effect was given to your suggestion that Local Boards should be independent, would it be possible, as a next step, to make the District Council a general Local Self-Government Council in the district exercising all the needful control over Local Boards and municipalities?—Yes, we might work up to that.

27303. That would furnish a sufficient amount of work, would it not?—Yes, an interesting work.

27304. Were you on the preliminary committee prior to the Police Commission?—Yes.

27305. With regard to the results of the Police Commission had you not to put up with considerable restriction in the matter of head constables and railway police?—Yes.

27306. The views that were enforced were not in those respects at all what you thought the requirements of the province demanded?—There were restrictions of what we asked for; some concessions were made, and we got a working basis.

27307. You finally came to a compromise?—Yes.

27308. At present is there a charge made for the use of the Government Engineer if he does Local Government work?—There is a percentage for establishment, tools and plant on works done by the Public Works Department unless the Chief Commissioner remits it.

27309. Would not a general remission of that charge be a very suitable grant to Local Boards?—Yes, but it would vary of course; it is remitted wholesale in some districts.

27310. If those services were given free, an alternative to the Divisional Engineer would be to have a Government Engineer or an Assistant Engineer in each district who would be practically at the disposal of the Local Board?—He would be under the Collector.

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27311. Would that be more efficient?—I think it would be very advantageous.

27312. Would it be popular?—Quite.

27313. And it would save the duplication of establishments?—Yes.

27314. You say you think that the powers of the Local Government in the Central Provinces should be the same as in Bombay?—Yes; I am not very well aware of the exact conditions of the powers.

27315. The constitution is very different?—Yes, but what struck me was that equally advanced parts of the country ought to have the same system.

27316. Do you think you ought to alter the constitution of the Chief Commissionership?—I think he ought at least to be able to have a Legislative Council.

(*The witness withdrew.*)

Colonel P. A. WEIR, I.M.S., was called and examined.

27317. (*Chairman.*) You are Inspector-General of Civil Hospitals?—Yes; I have charge as Inspector-General of Civil Hospitals of the medical arrangements, and I am Sanitary Commissioner,—I am both just now.

The Head of the Medical Department might have somewhat greater powers than he at present has in regard to certain points; the delegation would save much time and correspondence both to the Secretariat and to the office of the Inspector-General.

The Executive Officers of the Medical Department have sufficient opportunities for personal contact with the people and as a rule they possess a sufficient knowledge of the vernaculars, except in the case of Mahrathi, with which some of them are not well acquainted.

I consider an increase in the administrative staff necessary, this being effected by the appointment of a whole-time Sanitary Commissioner, as it is impossible for one man to carry out, as they should be, the double duties of Inspector-General of Hospitals and of Sanitary Commissioner in a province of the size and population of the Central Provinces and Berar; those before the amalgamation of the provinces were two whole-time appointments. The executive work in Berar further demands at least one more Civil Surgeon; but this would depend on that division being broken up into 5 instead of the present 4 districts.

The gazetted staff of the Medical Department in the Central Provinces includes 16 Commissioned Officers, 1 Uncovenanted Medical Officer, 10 Military Assistant Surgeons and 15 Civil Assistant Surgeons. The 16 Indian Medical Service Officers include the Inspector-General and 15 Civil Surgeons; the Uncovenanted Medical Officer is a Civil Surgeon; the 10 Military Assistant Surgeons include 2 Assistants to Civil Surgeons, 2 Sub-divisional Medical Officers, and 6 Civil Surgeons. Of the 15 Assistant Surgeons, one is a Civil Surgeon. The others are in more or less independent charge of main or branch Dispensaries. The duties of the department include the medical and sanitary charge of the districts and the sub-divisions, the registration of vital statistics, and the carrying out of vaccination; also the management of the two lunatic and one leper asylum, and the superintendence of several meteorological observatories.

In his present appointment the Inspector-General of Civil Hospitals exercises administrative control over the medical, sanitary and vaccination work of the province; he visits and inspects as many of the medical institutions as practicable, all the lunatic asylums, the leper asylum, the jails, and as many of the municipalities in the provinces as he can each year, and records minutes in all cases. He also presides over the meeting of the Sanitary Board in each district. He recommends to the Local Government the posting of Civil Surgeons and the appointment of Assistant Surgeons, and also deals in the first instance with applications from them for leave. He posts Assistant Surgeons and transfers them; appoints, promotes and deals generally with the Hospital Assistant staff. He takes every opportunity of inspecting vaccination work.

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27318. Is there such a thing as a Sanitary Board in this province?—There is supposed to be a Sanitary Board. When I go out on tour I see the Commissioner and hold meetings of a so-called Sanitary Board, but it is not really a Board.

27319. There is no Sanitary Board for the whole province?—No, not such as there is in the United Provinces and Madras.

27320. How is the sanitary control of the district managed; is there a committee to help you?—There is no committee to help me.

27321. If a sanitary scheme come up from a municipality, how does it reach you?—Sanitary schemes as a rule do not come up from the municipalities to me.

27322. Do they come up from the District Councils?—They do not.

27323. You have a sanitary scheme for Nagpur; did that come under your consideration as Inspector-General of Civil Hospitals?—It did not.

27324. Did it go to anybody in the province for examination?—So far as I know, it did not.

27325. Is there any use then in having a Sanitary Department in the province or having a Sanitary Commissioner?—Yes, I think there may be at headquarters.

27326. What use is he if he does not examine any sanitary schemes?—On tour he inspects the sanitary state of the villages and towns, and makes any recommendations that he thinks proper, and sends them in to the Commissioner or the Deputy Commissioner for any action that they may choose to take; he has no power to enforce his opinions in regard to the carrying out of any schemes he may suggest.

27327. Are not the sanitary schemes for either a municipality or a District Board sent to the Sanitary Commissioner for his recommendations?—Not as a matter of course.

27328. Are they as a matter of fact?—Sometimes.

27329. You still think that there is great use in the Sanitary Commissioner for the Central Provinces?—I think there would be.

27330. Do you see anything of the Director-General of the Indian Medical Service?—I have seen him once since I came here.

27331. Are you brought much into official contact with him?—Not very much

27332. Does he interfere in your administrative work at all?—No.

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27333. Does he give you any help at all?—I very rarely have to refer to him.

27334. How long have you been Inspector-General of Civil Hospitals here?—Since October, 1905.

27335. You have to send all applications for leave to the Director-General?—Yes. He disposes of them; says whether he can send a man in place of the man going on leave; if he can, we let our man go; if not, we have to make other arrangements.

27336. Has he ever refused to assent to an officer's leave?—No, he has said that, so far as he is concerned, the officer may have leave provided we made local arrangements.

27337. (*Sir Steyning Edgerley.*) When you go to a district, you convene a Sanitary Committee of some sort?—Yes.

27338. Of whom does it consist?—There is the Deputy Commissioner, the Civil Surgeon, the Chairman of the District Council, and the President of any Municipal Committee that the Deputy Commissioner may choose to ask to come.

27339. What are the subjects that you ordinarily discuss?—The first thing that is brought up is what sanitary works have been carried out since the last meeting. These sanitary works invariably have to deal with only water-supply.

27340. Is it part of your duty to call together that committee in every district you visit?—Yes, if possible.

27341. You speak of the difficulty of inspection; do you mean inspection of dispensaries and hospitals?—I cannot go round to all dispensaries in the province and see them all, as I should.

27342. Is the Inspector-General of Prisons a Medical Officer?—Yes.

27343. Could he not help you in that sort of inspection?—He could only inspect at headquarters.

27344. Could you not lighten the inspection work in that way?—I doubt that very much, because he only goes to headquarters; he has to inspect jails, and I, as Sanitary Commissioner, have to inspect medical institutions; he does not go across country, so to speak.

27345. Have you any medical schools in the province?—No.

27346. (*Mr. Meyer.*) You desire to have the first appointment of Assistant Surgeons; have they not to be taken from certain medical institutions?—No. Other things being equal, we should take men who have been educated at the expense of the Central Provinces.

27347. Your Local Government appoints at present?—Yes.

27348. Are there no restrictions; surely they must have some sort of medical training?—Of course the man has to be qualified; we take a man who has the degree of L.M.S. of one of the Indian Universities; I do not think there is any other qualification necessary.

27349. The Local Government has full discretion within that limit?—So far as I know.

27350. You also desire to have full power of posting and transferring Civil Surgeons?—Yes.

27351. The amenities and the lucrative possibilities of civil stations differ very materially, and it might be rather a serious responsibility, occasionally, to post a man?—Yes.

27352. Should the Chief Commissioner have no say in that?—Ultimately he would have the say entirely, but I think probably less weight is given to my recommendations than might be desirable.

27353. At present you submit your proposals and the Chief Commissioner deals with them?—Yes.

27354. You desire to do the thing straight away, and that the Chief Commissioner should only learn of your postings from the Gazette?—I should probably, as a matter of practice, let the Chief Commissioner know what I intended to do.

27355. And if he disapproved?—We should probably talk it over.

27356. You want to be co-ordinate with the Chief Commissioner in the matter of these postings?—I have discussed the posting of an officer, a certain post has been practically agreed upon, and when it came to be gazetted exactly the reverse has been carried out.

27357. Would larger sanitary schemes of drainage or water-works come to you for consideration?—I think they would.

27358. But not the small schemes—expenditure on latrines and that sort of thing?—No.

27359. Do you see the budgets of the local bodies as regards their provision for sanitary expenditure?—No. The medical and vaccination portions come before me not the sanitary.

27360. As regards medical relief, is the position that the dispensaries are worked by the Civil Surgeon?—The dispensaries are supervised by the Civil Surgeon.

27361. And the others are run by a local committee?—By a local committee under the supervision of the Civil Surgeon.

27362. The District Council has nothing to say to them?—The District Council pays for them.

27363. Is that altogether a satisfactory position?—I think so.

27364. You would not be in favour of giving the District Council more power to manage the dispensaries themselves, as they do in other provinces occasionally?—I do not exactly see what powers they would want.

27365. They would have to have Medical Officers, but these would be under the Chairman of the District Council, which might entertain its own Hospital Assistants and Assistant Surgeons, provided that they took qualified men; would you be in favour of that?—I have no views on the subject. I cannot say whether it would be a good thing or a bad thing.

27366. It has been suggested to us that the Indian Medical Service reserve should be broken up and distributed to the provinces; have you any views on that point?—That might be good, because you would have more men available to relieve men going on leave. The other day, men had to go on leave for medical reasons, but I had no way of replacing them except by Civil Assistant Surgeons, men without much training or experience; if I had had men available, I should have posted them.

27367. On the other hand it would prevent you drawing in excess of your normal scale. At present, if you have famine or plague here, the Director-General of the Indian Medical Service can supply you with Medical Officers; if you had your own reserve he would say "I cannot help you, because the rest of my reserve has gone to Bengal or Madras or elsewhere"?—Then I should have to recall some my men from leave, or to recruit locally.

27368. Taking the two considerations together, would you prefer to have the reserve distributed?—Certainly.

27369. (*Mr. Dutt.*) Are the dispensaries in the interior maintained by the District Boards, or only aided by the District Boards?—They are paid for entirely by the District Boards; the only thing Government pays for is the pay of the Hospital Assistant.

27370. Have you Dispensary Committees to manage them?—Yes.

27371. Do these committees consist of some members of the District Council?—I should not like to say what the composition of the committee is. They have local committees; very often the tahsildar is the President, and very often the Hospital Assistant is the Secretary; then there are as membens native gentlemen of standing.

27372. The District Council has no sort of control over the management of these dispensaries?—Not that I am aware of.

27373. Are dispensaries within municipalities maintained by the municipalities, or aided by them?—To all intents and purposes they are maintained by the municipalities.

27374. Are they also managed by committees?—Yes.

27375. And there may be members of the municipality who are also members of the committees?—That is very often the case.

27376. Beyond that the municipalities have no other control over those institutions?—No.

27377. Is the Civil Surgeon generally both the Medical Officer and the Sanitary Officer of the district?—He is both.

27378. Excepting in professional duties he is to some extent subordinate to the Deputy Commissioner?—Yes; they work in concert.

27379. Does it give you very much work to send up recommendations to the Chief Commissioner for the appointment of Assistant Surgeons?—No, but it does give work, and the appointments are practically a matter of course; it would save time in my office and in the Secretariat if I had the power,—not much work, but it aggregates in the end.

27380. What is the pay of an Assistant Surgeon?—An Assistant Surgeon starts at Rs. 100; after seven years, if he passes the examination, he gets Rs. 150; after another seven years, if he passes another examination, he gets Rs. 200; then he may be selected to be a Senior Assistant on Rs. 300.

27381. What is their qualification?—Either L.M.S., or M.B.

27382. Is their work generally satisfactory?—Yes.

27383. They have a certain status and position?—Undoubtedly.

27384. Would it not somewhat take away from their prestige and position in the eyes of the people if they were appointed by the Inspector-General instead of by the Central Provinces Administration?—I do not think it would have any effect at all.

27385. (*Sir Frederic Lely.*) Have you much practical knowledge of the Hospital Assistants in charge of rural dispensaries?—I have never had charge of a civil station in India in British territory; I have had charge of large numbers of officers in Native territories.

27386. As Inspector-General you have not much opportunity of seeing their work?—Not very much, and especially here, where there is such a very large area to go over.

27387. So far as you know, is their work satisfactory?—The work is mostly satisfactory; of course there are some good men and some indifferent men, and indifferent men do indifferent work; but as a rule the work is well done.

27388. Is there sufficient control over them? If a man is not equal to his post and is not a good man, does it come to light?—I think it comes to light if he is not good professionally. The Civil Surgeon has to inspect every dispensary once in three months.

27389. If the people are dissatisfied with a man, have they any means of making their views known?—Yes; petitions are sent in, which, as a rule, would be sent down to the District Officer to consider and report upon.

(*The witness withdrew.*)

Mr. G. M. HARRIOTT, M.I.C.E., C.I.E., was called and examined.

27390. (*Chairman.*) You are the Superintending Engineer and Secretary to Government in the Irrigation Branch?—Yes. As such, I am in charge of the whole province in irrigation matters.

Larger financial powers should be given to this Administration with regard to irrigation works. This province has suffered considerably, and its progress has been seriously retarded for want of such works and powers; while other provinces have benefited owing to the available funds being diverted to them. The sum annually available for irrigation works may be apportioned to the Local Government, and the Chief Commissioner be given a free hand to utilise it to what he considers to be the best advantage. The Local Government is, of necessity, the best judge of the relative importance of these works.

Irrigation Works may be divided into three classes:—(i.) Minor irrigation works; (ii.) protective irrigation works; (iii.) productive irrigation works.

For minor irrigation works an allotment of 4 lakhs a year has been made to this province by the Government of India. This allotment has been made provincially, and the Chief Commissioner has been given a free hand in dealing with it. Provincial funds may, if necessary and available, be used to supplement it in order to push through works which are urgently needed. I would recommend the increase of the allotment for this class of works from 4 to 5 lakhs a year. Taking into consideration the strong recommendations of the Irrigation Commission, and the fact that no funds were given to this province prior to 1902-03 for the construction of irrigation works, though an urgent appeal was made by the Chief Commissioner in the early seventies, I consider it a very modest demand.

I recommend that the same procedure, described above as to minor works, be followed with regard to protective irrigation works. An expenditure of 300 lakhs in 20 years in this province has been recommended by the Irrigation Commission, or an average of 15 lakhs a year. This is the average annual allotment which this Administration has asked for and it has been promised, with some reservation, by the Government of India. For the reasons given above I consider this also a modest demand. It was recommended as fair and necessary by the Irrigation Commission after a consideration of the requirements of the whole of India. This sum should be placed annually at the disposal of the Administration, and the Chief Commissioner be given a free hand to frame his own irrigation policy, and utilise it to what he considers to be the best advantage. The Local Government should be at liberty to supplement it, temporarily or permanently, from provincial funds when necessary, in order to push on and complete relatively important works. In the case of temporary supplements, recoupment may be made by the curtailment of expenditure in subsequent years. In the case of unavoidable permanent supplements, a share of the net profits, as soon as the works become remunerative, should be allowed to the Local Administration. Till that time funds for maintenance might be provided as at present from budget head "42. Major Works—Working expenses," and the whole of the revenue credited as now to the Government of India, under budget head "29. Major Works—Direct Receipts." Effective control will be assured by the fact that the Local Government will be sharing the responsibility and must work within its means.

Productive works are constructed primarily from borrowed money. No works are likely to be passed as such for this province, till irrigation has been firmly established, and such water-rates actually secured as will place their productivity beyond a doubt. This will take a few years yet, but as soon as it may be possible the Local Administration should be empowered to sanction the construction of such works within the limits of such financial powers, and powers of sanction, as may be given to it. Till then it must rest with the Government of India to accept the proposed works as productive, as well as to sanction and provide funds for them.

Local Administration should be given borrowing powers, on the same lines as such powers are given and controlled in the case of Government of India, though on a limited scale proportionate to their finances.

The first appointments of Upper Subordinates to permanent posts are at present made by the Government of India. There seems no reason why

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they should not be made by the Local Administration. In fact the Local Government can make these appointments after places have been found for such passed students from Roorkee, or non-commissioned officers and soldiers of the Royal Engineers, as may be available. There seems no reason why lists of passed students and available Sappers should not be communicated to the Local Administration, who might then make all the appointments.

The powers of the Local Administration to sanction estimates for the construction of imperial works should be increased. Sufficiently effective control will be provided by the fact that their power to do so must be limited by the grants made by the Government of India. A Local Administration may sanction estimates annually for ordinary imperial works, estimated to cost up to Rs. 20,000 for works, and Rs. 25,000 including establishment, tools and plant. It can sanction no protective irrigation work at all, and the classification of any work as protective rests with the Government of India. I see no necessity for this restriction, especially in a province like this one, where all the large works must be protective until they can be proved to be productive.

A Local Administration can sanction estimates for provincial works up to a limit of 10 lakhs for works only, and 12½ lakhs including establishment, tools and plant. It seems to me that if a Local Administration can deal successfully with its provincial works to this limit, there can be no reason why it should not deal equally well with imperial works of all classes to the same extent. The financial limit appears to be the only one necessary, and that is in the hands of the Government of India which makes the allotments. The Governments of Madras and Bombay are empowered to sanction estimates for ordinary imperial projects up to 2 lakhs for works only, and 2½ lakhs with the inclusion of establishment, tools and plant. I see no reason for this distinction, and recommend that these limits be extended to all Local Governments and Administrations, and be made to include protective irrigation works.

The powers of Local Administration to accept contracts should be increased; it is at present limited to its power of sanctioning estimates, so that while it can accept contracts for provincial works estimated to cost 10 lakhs, exclusive of establishment, tools and plant, its limit for imperial ordinary works is Rs. 20,000, and for protective irrigation works it has no power at all. This entails continual correspondence with the Government of India, in the making or altering of contracts exceeding the above limits. I see no necessity for these restrictions. Once the estimates have ben sanctioned, the Local Administration might surely be allowed to deal with contracts. After all the Government of India almost invariably accepts the recommendation of the Local Administration, which must be in a more favourable position to judge of the best course to follow in each case. The Local Administrations should be able to deal with contracts for imperial works up to a limit of 10 lakhs as for provincial works. I recommend that, once a work is sanctioned, Local Governments and Administrations be empowered to deal with the contracts without limit.

Local Governments can only fix the classification of minor works which are estimated to cost less than Rs. 50,000, including establishment, tools and plant. In the case of works estimated to cost more than this sum, the sanction of the Government of India to the classification has to be obtained, unless both capital and revenue accounts are kept. Local Governments seem to me to be the best judges as to the importance of a minor work justifying both capital and revenue accounts, only revenue accounts, or neither being kept for it. After all the action of the Government of India is invariably taken on the recommendation of the Local Governments, who should be empowered to fix the classification up to their limit of sanction.

After the Government of India have decided on the particular policy which is applicable to a province, and has indicated the general lines on which it is to be applied, Local Governments and Administrations should be given a free hand to suit it to local conditions, and to apply it in the most favourable way possible. Under present conditions this is not always done. For example, the Indian Irrigation Commission was appointed to inquire into the necessity for extending irrigation in India to afford protection, and to report where it was most necessary, and how it could be best provided. After detailed inquiry they indicated the necessity for protection in the Central Provinces, and the lines on which it could be best applied. The Administration started to work and framed a protective policy on these lines, but at the end of six years it still finds itself in its original position of trying to prove that protection by irrigation is absolutely necessary for parts of the province, and that the policy it is working on is sound. Had it been given an annual grant for expenditure on irrigation works and been allowed to frame and pursue its own policy, much more might have been done by this time.

So far as irrigation works are concerned, the Imperial Secretariat is certainly dominated by considerations of direct revenue. Progress with these works has been retarded, because owing to State irrigation being recently started it has been impossible to show for certain that Rs. 2 per acre will be paid for it. It has been shown by the Local Administration that the indirect advantages are very large, that irrigation will improve the country enormously, that it will put large sums into the pockets of the cultivators, and save them from being pauperised by famine; yet the stumbling-block is the net direct revenue which the Local Administration knows is trifling in comparison with the indirect return which Government must secure.

Directors and Inspectors-General under the Government of India should merely act as technical advisers to Local Governments and Administrations, in dealing with departments, which are primarily administered by the latter. They should not interfere in any way with the policies adopted by Local Governments and Administrations.

So far as irrigation is concerned, the initiative came from the Local Administration. This Administration appealed for irrigation in the early seventies; a response was made by some schemes being investigated, and then the question was dropped by the Government of India. After the famine of 1896-97 another appeal was made, and investigations were again begun. This response continued till the Irrigation Commission came, and by their decision got construction started.

It is desirable to allow provincial Governments to develop their Administrations on their own lines, and leave them to adopt or not suggestions of reform brought to their notice from other provinces. It is desirable that provincial Governments should be kept informed of successful reforms in other provinces, and if this is done no provincial Government is likely to reject them without a trial, if they are applicable to their province. On the other hand, if ordered to introduce a reform, they have to do so whether it is applicable or not.

A Local Government should be empowered to refuse to transmit any appeal made in general terms, and including references to matters not connected directly with the order appealed against.

Executive Officers have ample opportunities for personal contact with the people with whom they have to deal, but there is not the intercourse now between departments that there used to be formerly. For example, I have always known most of the Extra-Assistant Commissioners, tahsildars, and native officials in the stations I have been in. They came to see me occasionally, and I got to know them. But I seldom see any of the officials now. It is not because I do not see them if they call on me, or discourage their visits in any way. On the contrary I make it a point to see them. This is partly due to the higher pressure under which every one has to work now, and to the more reserved nature of the official of the present day. I think something might be done to bring officers more in contact with the people, by officers of one department encouraging their subordinates to go and see officers of other departments when they get an opportunity of doing so.

I know that this leads to officers coming in contact with non-officials also.

Executive charges are too large as they stand in some cases. To get work done properly there should be at least an Assistant Engineer to each district apart from those on special works. I consider that every important sub-division should be in charge of an Assistant Engineer instead of under subordinates as they are at present.

Transfers are over-frequent occasionally. For example, the Chanda and Bhandara districts have had quite a series of Deputy Commissioners in the last few years. I cannot suggest a remedy because transfers are often forced by so many causes. The only course for the Local Administration to follow is to determine not to make a transfer if it can possibly be avoided, unless the officer has been in the district for a long time.

Superintending Engineers should be given practically the same powers as Chief Engineers have. They should be the Engineers-in-Chief for their circles, and should arrange for all the public works in it with the Commissioners of divisions. All the technical work should be done by the Superintending Engineer under the direction and advice of the Chief Engineer. The latter will then act as chief technical adviser to the Superintending Engineers and help these officers with advice when they have any difficulties in construction. Relieved of technical work in this way, the Chief Engineer will be able to give more time to direction and organisation.

The time has not come yet to extend the powers of municipalities and Local Boards. It is as much as they can do to make full use of the power they have at present.

I do not think Advisory or Administrative Councils will be of any use. Most, if not all, District Officers and Commissioners invariably consult the people who would be on such Councils, and discuss important questions with them. It has been my experience that such people when consulted singly give their opinions and advice freely, which they will not always do in a Council, for fear of offending some one else who is present and who holds different views from themselves. In my opinion such Councils will do no good, will waste time, and, last but not least, will have an adverse effect on work by making officers feel that they have been relieved of responsibility. The members of the Councils would not appreciate the honorary work, because it would only give them trouble, without power and authority.

The smaller municipalities would resent the control of the District Board. It will be better to let them work out their own salvation. It might answer in individual cases to allow such control.

27391. Who is responsible, in the case of irrigation, for the actual distribution of the water from field to field?—The officers of the Irrigation Branch. The arrangement we have is that for each tank a panchayat of the villagers is formed; they settle when water is required, and ask for it to be supplied; there are certain petitions sent in; those are sent on to our officers, who then start the running water, and the panchayat arrange the distribution among the villages; we simply open the sluice and let the water down to the extent that is required.

27392. They arrange the actual distribution themselves?—Yes.

27393. You have no canal irrigation, it is all tanks?—Tanks and distributaries; we cannot have canal irrigation here very well; we depend on the rainfall simply; we do not depend on the yield from snow.

27394. You tell us that for one reason and another progress has been retarded in the matter of irrigation in this province for want of works and powers. Are the works to which you make reference productive works?—Not at present, but if these works had been constructed some years ago they would by this time have been productive.

27395. Were they large works?—Yes; there were three or four large works surveyed and some smaller ones, as far back as the early seventies.

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27396. You would agree, that if the Government of India, having only limited resources to fall back upon, have to choose between works that are profitable and works that are not, they are justified in selecting works that are profitable?—That is done already. The funds are provided from borrowed money, and the Government of India decide whether the money can be borrowed; but so far as protective works are concerned, each province should get a fair share. At present we can only deal with protective works; though we can get strong evidence; we cannot exactly show which works will be certainly profitable.

27397. You want the works to be done from funds available for protective works, that is to say, from revenue?—Funds for protective works come from the Famine Insurance Grant.

27398. Is the allotment of 4 lakhs a year of which you speak from revenue or from the Famine Insurance Grant?—That comes from revenue.

27399. You say that the Chief Commissioner should be given a free hand to frame his own irrigation policy; has he not a free hand now?—Not at present; he has just now applied for it.

27400. Have most Heads of Provinces a free hand?—I think in the Punjab and in the United Provinces they have got to that stage when they can well frame their own policy.

27401. That is the distinction between those provinces and this?—Yes; we are rather held by the bridle more than the other provinces are.

27402. You tell us that the Local Government can make appointments of Upper Subordinates; do they as a matter of fact make them?—No, we have to apply to the Government of India.

27403. Although under the Government of India's own rules you can make them?—Yes; because certain appointments have to be kept for Sibpur and Roorkee men.

27404. Otherwise you have no more places than can be filled by Roorkee men?—We do get some sometimes. If men are not available we are allowed to appoint them, but the correspondence in sending up the appointments might be avoided.

27405. You tell us that with regard to protective irrigation works the Local Government has no power at all to conclude contracts?—No; all such contracts have to go up to the Government of India.

27406. Have you power to conclude contracts for productive works?—We have done no productive works at present, but I conclude that we should, in the case of productive works, be able to do so.

27407. Can you sanction estimates for protective works in the case of sanctioned schemes?—No; we can sanction no protective works without reference to the Government of India.

27408. Not the contracts, but the estimates?—No; all estimates for protective works have to go up to the Government of India.

27409. Then is the position that the Local Government has to send up to the Imperial Government and get sanction, not merely for the scheme itself as a scheme, but also for the estimates of every protective work?—Yes.

27410. And of every productive work?—For every productive work we have to go up, too.

27411. But in the case of provincial works, while you can sanction estimates you cannot sanction contracts?—No; provincial works contracts can be sanctioned up to the sanctioning amount.

27412. For imperial works can you sanction estimates?—That is, minor works; there is a certain grant given for "43.—Minor works and Navigation"; the Government of India have given us 4 lakhs, and that 4 lakhs is made provincial, so that the Local Administration can deal with that itself.

27413. There are major works and there are minor works?—Yes; the major works are protective and productive works; at present in this province we are dealing solely with protective works; we have no productive works.

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27414. Then with regard to protective works can you sanction estimates or not?—We cannot sanction them.

27415. Can you sanction contracts for protective works?—No.

27416. Then for minor works?—We can sanction the estimate and contract.

27417. (*Mr. Hichens.*) What is your relationship with the other branch of the Public Works Department here?—I am Superintending Engineer under the Chief Engineer.

27418. Have you got a separate staff?—Only the ordinary staff of a Superintending Engineer.

27419. Are the works that are carried out in the district carried out by a joint staff?—No; the men are more or less specially trained. We have some men who have been transferred to us from "Roads and Buildings," but when they get our special training we have to keep them.

27420. Are they entirely under your control?—No, the establishment is under the control of the Chief Engineer.

27421. (*Mr. Dutt.*) You say that the water from these irrigation tanks is generally let out by the Engineer in consultation with the panchayats. Does it sometimes happen that the Irrigation Engineer is unable to act on the suggestion of the panchayat?—We have had no such cases.

27422. Has the Deputy Commissioner any voice with regard to the letting out of the irrigation water from the tanks?—He has not any direct voice at the time, but the arrangement has been to work with the Commissioner and the Deputy Commissioner, and if any complaint was made to the Deputy Commissioner he would take action; all he would have to do would be to send instructions which would be carried out at once, and a copy sent to me.

27423. So far as you are aware there has been no friction?—Absolutely none.

27424. When you let out this irrigation water, you impose a certain irrigation rate; what is the rate in this province?—The rate was settled after consultation with the Deputy Commissioners and the Commissioner, and sent up to the Government of India for approval; it is for the first watering Re. 1-4-0, for the second watering Re. 1, for the third watering 12 annas, and 8 annas for every subsequent watering. These rates are only provisional and full latitude has been given to the Commissioner and Superintending Engineer to vary the rates experimentally. At present we are working on very low rates; we are giving water to the people in order to let them get educated to it, because their land rents have been so small that the water rates appear heavy; we are trying to work them gradually up to the full rates.

27425. The rates you have mentioned are really standard rates to which you are working up; you have not arrived at those rates yet?—No.

27426. Do you water the whole village from field to field at the request of the cultivators?—In this province we are dealing mainly with rice irrigation; when water is wanted they generally come up in blocks; it is not always a whole village, but we give water to whatever area requires it; so far we have given it to the smallest areas.

27427. Generally you let out water for a whole block; it would not be convenient for you to let out water, say, for half an acre or so?—It is not quite convenient at present, but we are working to that eventually, when we get all the little field channels completed; I do not think, however, that that will ever be necessary, because, wherever a single acre of rice wants water a whole block will want water.

27428. Is the irrigation rate levied by the Engineer or by the Revenue Officers?—It is decided with the Deputy Commissioners and the Commissioner, chiefly with the Commissioner. In Raipur last year the people had been holding back; I went round and interviewed the *malguzars*; I eventually gathered from them that if we started on certain rates they would take water; having decided that with the Deputy Commissioner on the spot, I sent up the recommendation to the Commissioner, who approved of it, and it was sent on to the Chief Commissioner. The Commissioner settles the matter with me.

27429. But who actually realises the rate?—A *jamabandi* is made out and given to the village panchayat, who collects the rate and pays it in to the Deputy Commissioner, getting a percentage for the collection.

27430. So far there has been no difficulty in realising these rates?—None whatever.

27431. Are higher Engineers all recruited in England?—There are some recruited from Roorkee.

27432. What is the designation of those who are recruited from Roorkee—how do they begin?—They began before as Apprentice Engineers, but I believe that now that is altered. I am an old Roorkee Engineer myself; I was an Apprentice Engineer for six months, then I was made a 3rd Grade Assistant, and I went up in the ranks.

27433. So that a Roorkee Engineer can go up to the highest posts open to Engineers in this province?—Yes. There have been some changes since I left the college; I think they come in now to the Provincial establishment, and in the Provincial establishment they can go up, but there is a difference in the pay and pension rules.

27434. The men who are recruited in England form the Imperial Service as opposed to the Provincial Service?—Yes.

27435. Is the Provincial Service recruited by the Chief Engineer himself or by the Central Provinces Administration?—They are appointed by the Government of India.

27436. (*Sir Frederic Lely.*) Have the District Officers nothing to do with the distribution of water?—They have not actually to do with the opening of the sluice, but the whole of the arrangements are controlled by the Commissioner of the division; everything is arranged with the Commissioner after consultation with the Deputy Commissioner.

27437. You say that the actual arrangements for distributing the water are made in the first instance by the panchayat, and then you let the water through?—We open the sluice; they make applications for water for certain areas, and we open out sufficient water; if they say 2,000 acres want water, we gauge the water for 2,000 acres at the head and let it down the channels.

27438. If there is any dispute about the distribution what happens?—The panchayat decides that, or if there is any dispute between them they refer it to the Deputy Commissioner; he refers the matter to us; and if there is any further dispute it goes up to the Commissioner of the division.

27439. There is no friction?—Absolutely no friction so far as the Irrigation Branch is concerned; we work all together.

27440. (*Sir Steyning Edgerley.*) You say that you are still in your original position of trying to prove that protection by irrigation is absolutely necessary for parts of the province. Can you illustrate that?—The best way I can illustrate it is by letting you see the letter from the Local Administration to the Government of India on the subject.

27441. You say that "So far as irrigation works are concerned the Imperial Secretary is entirely dominated by considerations of direct revenue"; does that refer to protective or productive works?—All to protective works.

27442. Then you say "progress with these works has been retarded because owing to State irrigation being recently started it has been impossible to show for certain that Rs. 2 per acre will be paid for it"; does that refer to protective works?—Yes; but we have got beyond that now; we are actually getting Rs. 4 in places; that is on small works.

27443. You say that it was a recommendation of the Irrigation Commission which was accepted with some reservation by the Government of India that you should have an average expenditure of 15 lakhs.

a year?—The Irrigation Commission have laid down in their report that 300 lakhs should be spent in twenty years.

27444. What was the reservation made by the Government of India in accepting that recommendation?—The view taken by the Government of India was that this 300 lakhs was only to be spent if, after the construction of these famine works which are now being completed, it could be shown that we could get these rates.

27445. I do not quite understand your position about the supplement to expenditure from provincial revenues. If you want to get a work through, you say you should supplement from provincial revenues, and then you should share the profits?—My proposal is this. We have got 300 lakhs for 20 years; that gives an average of 15 lakhs a year; we have at present three large works under consideration; all three are in areas that need irrigation and protection very badly, but we shall not be able to do the works within the 300 lakhs; they will probably run out during the twenty years. It is very desirable to construct those works; if the Government of India cannot give us more than 300 lakhs, the Local Administration should be permitted to supplement the 300 lakhs, and recoup themselves afterwards.

27446. How would the provincial Government get the extra money?—We have run up in certain years to 25 lakhs; at the beginning we commenced lower; we began say at 11 lakhs, and have passed up gradually to 17, 20 and 25. In the beginning we may get our money, but towards the end the Government of India may not be able to give us 25 lakhs; then I ask that the Local Administration be permitted to supplement the amount given by the Imperial Government, so far as they can, in order to push on these works.

27447. From what sources?—From revenue—their own balances.

27448. Then how would they share profits—Proportionately to the expenditure that each had incurred.

27449. Is the revenue entirely separate?—The revenue would be entirely separate from each one of the three works.

27450. It would be a separate water-rate that could be ascertained?—Yes.

27451. Will those three works be likely to be productive?—I certainly think they will be productive.

27452. But you have not yet submitted them as productive?—No; worked out on the Rs. 2 rate, which we hope to get, those works will be productive under the classification of the Government of India.

27453. You also say that you think the distinction as regards estimates and so on between provincial and imperial is unnecessary, because the Government of India get their control by the grants which they make?—Exactly. We cannot go beyond the grants which they make to us every year. This would save correspondence and references.

27454. Does not the amount of the estimate react upon the amount of the grant?—But the estimates are originally sanctioned by the Government of India.

27455. Suppose you had a work of 9 lakhs, that estimate and everything connected with it you would settle here?—But then the Government of India in that case only give us so much money every year to spend.

27456. You think that they should give you a fixed sum, and that you should spend it as you chose, subject to the ordinary provincial limitations?—Exactly.

27457. You think the distinction between imperial and provincial works might be entirely abrogated?—Yes.

27458. That would practically give you complete control over protective works, to the same extent as over minor works?—Yes.

27459. You say you think the Superintending Engineer should be given practically the same powers as the Chief Engineer. Have not the Government of India proposed that they should have powers up to Rs. 50,000?—Yes.

27460. Your proposal is that their power should be unlimited?—No; it is practically the same as what the Government of India put; in fact, the Chief Engineers have not got quite those powers at present.

27461. What power has the Chief Engineer here in the Central Provinces?—I think he can only run up to something like Rs. 10,000 sanction.

27462. Your proposal is not intended to run beyond the proposals which the Government of India have recently sent in?—No.

27463. You consider that the Inspector-General of Irrigation should have nothing to do with policy, but should only advise on the technical points of a scheme?—I think he should advise the Local Administration.

27464. That is to say, before they send up to the Government of India for sanction?—When the Local Administrations are drawing up their policy they should consult him.

24765. (*Mr. Meyer.*) Protective works are financed from the Famine Insurance Grant?—Yes.

27466. Are not the funds from that limited?—Yes.

27467. Perhaps you will take it from me that under the present orders the total grant is 150 lakhs and the first charge is actual famine expenditure. Apart from that if there is money, 75 lakhs may be used for protective irrigation works; the balance, if any, goes to the reduction or avoidance of debt. Those are the Secretary of State's orders. Therefore your maximum is 75 lakhs for particular irrigation works and in a famine year such as the present it might be very much less; it might be reduced almost to nothing?—No doubt.

27468. The Government of India, therefore, having this limited sum of money to deal with all round, have to be careful about it?—Yes.

27469. Would it be practicable to earmark 15 lakhs year in and year out to a minor province like the Central Provinces?—I think it would, because this province has had no protective fund yet; other provinces have benefited not only from productive funds, but from protective funds, whereas the Central Provinces have had no share in those until within the last few years. Since the Irrigation Commission we have spent now up to this year about 40 lakhs.

27470. There may be a special case for the Central Provinces, but is it not impossible, as a matter of policy, to earmark perpetually, from a grant that necessarily fluctuates, any particular amount to any particular province?—There is that difficulty, but a certain amount might be told off to a province if it could be given except in famine years; in normal years the province should have that earmarked for it.

27471. The resources for constructing protective works being so limited, and the demand so great, is it not reasonable that the Government of India in deciding between competing schemes should give preference to a scheme that will yield some amount of profit though not the full amount necessary to make it productive?—But there are none of them that do not yield any return.

27472. But between competing projects the one that yields a higher return is better than the one that yields no return, assuming that they are both protective works?—I think preference should be given to a certain extent to a small province which has not had irrigation in it before, and which is not in a position to be able to prove its position. Take the Punjab and the United Provinces and Madras and Bombay; they have all had irrigation in progress for a long time, and they are in a position where they should be able to make their projects remunerative. We are not; we have to prove our position.

27473. You want special treatment for the Central Provinces because in irrigation matters you

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are a backward province?—Yes. We have suffered very badly here from famine. Since 1896-97 we have had practically four famines in the 12 years.

27474. Before that it was assumed by everybody that the Central Provinces was immune from famine?—Yes, because the grain did not go out of the province.

27475. Was not the Local Administration as unprepared as the Government of India?—The Local Administration applied for irrigation in the early seventies and again after the famine of 1899. We only got it after the Irrigation Commission.

27476. Are not estimates occasionally largely exceeded?—They are largely exceeded when circumstances alter the rates. For instance, here in the Central Provinces, out rates have gone up; round Nagpur they are double what they were a year or two ago; where you could get a labourer for 2 annas you cannot get him for 6 annas now.

27477. Is it not the fact that estimates on big projects tend to be materially exceeded in practice?—Yes, because there are certain points about them which cannot be definitely settled to begin with, for instance, foundations; you cannot always tell what you are going to come upon. Engineers, as a rule, not only Public Works Engineers in India, but Engineers all over the world, find difficulty in telling what they are going to come across and estimates do get exceeded.

27478. In the case of a provincial work, if the estimate is exceeded the Local Government has to pay?—Yes.

27479. In the case of a work that is financed from imperial funds, whether a protective work, or a productive work, or an ordinary imperial building, the Government of India have to pay?—Yes.

27480. Is it reasonable, therefore, that the Government of India should scrutinise the estimates of works, for which they have to pay, much more closely than the estimate of works for which the provincial Government pays?—Yes, the Government of India should have that right; they should have the right to scrutinise estimates where they provide the funds; but if an allotment is made to the Local Administration the Local Administration takes the responsibility of it.

27481. If you start a work which is debited to imperial funds and say (quite in good faith) that it is going to cost 5 lakhs, and it eventually costs 10 lakhs, you have got to see it out?—Yes.

27482. At the same time that extra 5 lakhs will fall on the Government of India?—Yes, but it will come to that in any case.

27483. But the Government of India can protect themselves as far as possible by having the estimates scrutinised by their own men?—Yes.

27484. And *primâ facie* the engineering advisers of the Government of India, are the most competent men in your department?—Yes, but I have said that the Inspector-General of Irrigation should advise the Local Administration; in that case the Local Administration would have the advice of the same advisers that the Government of India has now.

27485. But suppose the Inspector-General of Irrigation says that your estimates are in his opinion unduly sanguine; under your scheme what would happen?—The Local Administration would be bound to reconsider the matter.

27486. You admit that the Inspector-General of Irrigation in considering estimates has not to look merely at the technical estimates, but in an irrigation work he has got to scrutinise the revenue returns?—Yes; I have absolutely no objection to the scrutiny of the Inspector-General of Irrigation; the Local Administration should take full advantage of his advice.

27487. As regards productive works pure and simple, you have none in this province and you have no suggestion to make with regard to them?—No.

27488. As regards Upper Subordinates you desire that the Local Government should have a free hand in enlisting men who have come out of Roorkee? Is it not possible that you will have two or three Local Governments all addressing the same person and saying, "Come to us"?—I do not think it makes any difference because, as a matter of fact, the Local Government's recommendations are accepted; the only difference would be that the Local Administration would appoint the men they send up for, and it is merely a matter of correspondence.

27489. You have got A, B, C and D passing out of Roorkee in a particular year. Do you know much about them?—No, but the Principal, who is applied to, does.

27490. The Government of India say, "A shall go to the Punjab, B shall go to the United Provinces and so forth"?—I do not think they make much selection; the men put down the province they would like to go to; that used to be the practice.

27491. Does it make any material difference; men come out of Roorkee and in their order they are allowed to select their province; what is the inconvenience?—It is the correspondence and extra work that is entailed; it merely means a reference where no reference should be necessary.

27492. As you probably know, the Madras and Bombay Governments can appoint their own Superintending Engineers and their own Chief Engineers; other provinces cannot do so. Would you be in favour of allowing a province like the Punjab, for instance, to appoint its own Superintending Engineer?—The Superintending Engineers are appointed as a matter of selection, and it is only right that the Government of India should have the option of putting the best men in appointments where they would get the best results from them.

27493. For engineering work do the Government of India know better than the provincial Government which men will suit?—It is a question of selecting the best men for the highest appointments.

27494. So far it is an exception to your idea that it is desirable to allow provincial Governments to develop their administration on their own lines; you would have a clause "provided that the Government of India shall appoint Superintending and Chief Engineers"?—No; in that case the Government of India would apply to a Local Administration for a man if they wanted him as they do now, but it should be open to a Superintending Engineer to be appointed from one province to another; there is no reason why a good man should necessarily be kept in one place if the Government of India require his services elsewhere.

(*The witness withdrew.*)

Mr. J. B. LEVENTHORPE was called and examined.

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27495. (*Chairman.*) You are the Chief Engineer and Secretary to the Chief Commissioner in the Public Works Department for Roads and Buildings?—Yes.

27496. Have you anything to do with the appointment of subordinates in your department?—We have two sets of subordinates, the Lower and the Upper. The Lower Subordinates are all appointed now by the Superintending Engineers; they used to be appointed by the Chief Engineer; the Upper Subordinates we can appoint to a certain extent; we have just got more powers from the Government of India; previously we had to take what they sent us; now they allow us to appoint some ourselves as well.

27497. Do you post your subordinates to the different divisions?—The Superintending Engineers do that.

27498. Do they post both the Upper and the Lower Subordinates?—Yes, within their Circles.

27499. You have got three Circles?—Yes, two in "Roads and Buildings" and one Irrigation Circle; that is practically a separate business altogether. The Superintending Engineer of Irrigation in these provinces corresponds with the Joint-Secretary of Irrigation in the larger provinces.

27500. You wish to see much larger powers given to the Superintending Engineers?—Yes, and to the Executive Engineers also.

27501. Are you responsible at the present moment for all engineering work?—Yes.

27502. Would it be possible to throw the whole burden of responsibility upon the Superintending Engineers?—It would not be altogether advisable.

27503. Have they not sufficient experience or training?—The Head of the administration should know something about what is going on.

27504. I am not talking about the scheme, but about the actual technical engineering?—Subject to approval, responsibility should be thrown on the Superintending Engineer.

27505. You would not make the Superintending Engineer merely submit the details of large works and then give the Secretary power to say, "I approve" and then throw the whole responsibility on the Superintending Engineer?—No. He should have the Chief Engineer's advice when necessary, and in big works, certainly, the Chief Engineer should be responsible.

27506. You would not merely give the Chief Engineer a power of interference?—Up to a fair limit I should say the Superintending Engineer should be responsible, as it were, but beyond that the Chief Engineer should be responsible.

27507. What limit would you fix?—I should say half a lakh, perhaps in the case of roads and such like things a lakh; that is the proposal of the Government of India. I do not see any harm in that, but in the case of a building costing half a lakh, it has to go to the Government Architect and the Chief Engineer has a say in it also.

27508. It only goes there for design?—Yes, we have to take his advice on anything costing half a lakh.

27509. Both as to appearance and accommodation?—As to accommodation he has to accept what we say; as to appearance we have to accept what he says to a large extent.

27510. You would not give the Superintending Engineer complete responsibility for anything costing more than half a lakh?—Half a lakh in buildings and a lakh in other things might be allowed. The Government of India proposes a lakh in both cases, but I think the line should be drawn at half a lakh in the case of buildings because we have to refer there to the Government Architect; it should be referred through the Chief Engineer.

27511. Would you give larger powers and responsibilities to the Executive Engineer?—Much larger.

27512. Up to what limit would you give them freedom, acting on the same principle?—They might sanction anything up to Rs. 5,000, say, for original works.

27513. What is their present sanction?—Practically nothing—Rs. 200.

27514. Cannot a man pass into the first grade of Executive Engineer without selection?—There is selection the whole way through; it is seniority tempered by selection.

27515. All the way through?—Yes, the Assistant Engineer, the three grades of Assistants, and the three grades of Executive Engineers; a man cannot claim to be promoted though he is senior.

27516. Are there many rejections?—Often.

27517. What happens when there are rejections?—A man may be passed over for a time, or he may remain for many years.

27518 Would it be better to get rid of a man altogether rather than let him remain many years as a very junior officer?—It is very exceptional for them to remain as junior officers; by junior I take it you mean an Assistant?

27519. I was thinking of an Executive Engineer of the first or second or third grade?—He does not reach the Executive, first grade, until he has about 20 years' service; that is the best he can hope for.

27520. I did not mean junior in age, I meant junior in the *cadre*. If a man has been passed over several times is it wise to let him remain in the Service?—There are some it would be well, perhaps, to get rid of.

27521. Would it be well to let them remain or to get rid of them?—I think if a man is hopeless and not fit for promotion he is not fit to be in Government service.

27522. You do not get very many of those?—Not many, but we have had some.

27523. A first grade Executive Engineer has to be reported on as fit for an administrative appointment?—Yes.

27524. Are there many rejections of that kind?—Some; not very many.

27525. Does this system of selection work well?—I think so.

27526. I suppose the money has run out for a building or a road, at the end of a year you get what is called provisional sanction to prevent your having to disperse your labourers?—No, we allow for the allotment coming next year.

27527. You spend without any sanction?—Practically we do so at the end of the year, very often.

27528. You do not have to get provisional sanction?—No, we go on without any delay, we do not stop because it is the 31st March.

27529. Even though you have got no money?—Of course on the 31st March we have got no money, but we start on the fresh year. The estimate is sanctioned and the work is in hand, and we do not stop our work; we have the greatest difficulty in getting our budget for the year published until about May or June very often.

27530. But notwithstanding that delay in getting your budget published you have no delay in continuing your work?—No, we carry on.

27531. Therefore any representation of that kind which may have been made to us has no effect so far as regards this province?—None, so far as this province is concerned.

27532. (*Mr. Meyer.*) You suggest that the preliminary budget be done away with; what do you mean by that precisely?—We have to send up a preliminary budget and then there is the final issue of the budget.

27533. When do you send in your preliminary budget?—On the 15th February.

27534. That is what the province does, but what do you do departmentally; you say you submit a six months' estimate in November and then you submit the preliminary budget in February?—Yes.

27535. Do you desire that the Local Government should go on your six months' estimate without a separate preliminary budget?—With the preliminary budget that we prepare. I think all that the Government of India require is our total figures; I do not see what use the details of the preliminary budget can be to the Government of India.

27536. Some of the works may be productive, others may relate to imperial works?—No, I am speaking purely of provincial works; I am not talking of the small budgets we have of imperial civil and imperial military works.

27537. You mean that as far as the Government of India is concerned, all they want to know is the total amount the province is likely to spend from provincial funds on Public Works?—That is all.

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27538. Who has prescribed this detailed preliminary budget?—It has been given from time immemorial.

27539. Is it in the Public Works Code?—I do not know whether it is in the Public Works Code; we have had to do it as long as I can remember.

27540. We have had it stated that in this province the whole attitude of the Public Works Department has been one of independence of what they call the Civil Department, which is really the Administrative Department—the Commissioners and Deputy Commissioners—and that the Executive Engineer regards himself as quite as good as the Deputy Commissioner and does not trouble to consult him in any way; what have you to say to that?—I should say that it is the remark of a very young Deputy Commissioner.

27541. Would you be surprised if you heard that the Head of the province shared that opinion?—I should.

27542. You think that the relations are quite satisfactory?—On the whole they are very satisfactory.

27543. Are Deputy Commissioners consulted before roads are made in their districts?—Very much so; we cannot start on any road until we have it properly in the road scheme, and that has to be approved by the Deputy Commissioner and the Commissioner, and it is not allowed to go into the road scheme until the Chief Commissioner sanctions it.

27544. But what we have heard is that there being a variety of roads in the scheme, your department fixes A or B road without consultation with the different officers?—Not at all.

27545. You do not alter the alignment of roads without consulting the Deputy Commissioner; it has been suggested that in some cases you start quite a different alignment of road from what was originally intended?—I presume that that was when the road was going down in a hollow, and when it was actually aligned it came up to the high ground.

27546. No, the suggestion was that the road was to have gone to a particular village and that it took some other line which left that village out altogether?—No. The Deputy Commissioner always has a say in that matter.

27547. Does your budget of works for the district go to the Deputy Commissioner?—No.

27548. Every year the Executive Engineer has to prepare and send up through the Superintending Engineer to you a list of the works he proposes to execute in the coming year and the amount of money he proposes to spend on any of them; and in the same way with buildings; is that submitted through the Deputy Commissioner?—It comes through the Commissioner.

27549. Not through the Deputy Commissioner?—I do not think it comes through the Deputy Commissioner.

27550. Might it profitably come through the Deputy Commissioner?—It would not do any harm, but the Commissioner is the man we deal with, and he is the most satisfactory.

27551. The real pivot of the district administration is, or ought to be, the Deputy Commissioner?—Quite so, but the Commissioner, if he does not know, will probably consult the Deputy Commissioner on the subject.

27552. It has been suggested that without in any way affecting the professional control of your department, the provincial Public Works budget should be split up; a certain amount would have to be kept at headquarters for emergencies and for the biggest works; in other matters each Commissioner should receive a minor Public Works budget and sanction work out of that. Would you approve of that scheme?—He does that to a certain extent as it is; we give him an assignment for all minor works.

27553. That is a very paltry sum—Rs. 10,000?—Something of that sort.

27554. What is your Public Works budget?—60 lakhs.

27555. It would be a matter of lakhs not of a few thousand rupees; might you give each Commissioner say 7 lakhs, and all the matters that the Chief Commissioner has now to sanction financially therefrom would be sanctioned by the Divisional Commissioner for his own division. Are you prepared to say whether you approve or disapprove?—No, I think there would be some difficulties about it.

27556. (*Sir Steyning Edgerley.*) How many of those Roorkee men do you get per annum as Upper Subordinates?—We get Provincial Service Assistant Engineers, and we get Upper Subordinates.

27557. How many Assistant Engineers do you get?—About one a year.

27558. And how many Upper Subordinates?—It varies very much; we have not had one for two or three years now; sometimes we get them, sometimes we do not.

27559. What is the understanding with the Government of India about the Upper Subordinates?—When they send them to us we have to take them; we are allowed a certain number, and when the Government of India see that we are one short they send us a man, and we have to take him.

27560. Suppose you agreed with the Government of India to take one Assistant Engineer per annum and x number of Upper Subordinates per annum, the whole of your *cadre* might then well be left to you to deal with; would there then be any other reason for appointments going to the Government of India?—At present what we complain of is not that we are so short of Assistant Engineers; it is the higher grade, the senior Executive Engineers, that we are so short of. The Local Administration now has the power to appoint Upper Subordinates within limits. We are obliged to keep a place for a Government of India man who passes through Roorkee College, but if we have a vacancy, and they have no man to send us from Roorkee, then we can appoint a man ourselves.

27561. Is the arrangement you have now sufficient?—It is satisfactory now; that has come out within the last month or so.

27562. Since this note of Mr. Harriott's was written?—Probably.

27563. Is not this limit of Rs. 50,000 for buildings which requires to go up to the Government of India Architect very small?—We have no skilled Architect in these provinces and we are very glad of the assistance of the Government of India Architect; I know he is looked upon as an enemy in most parts, but we are glad of him.

27564. Would it be better to have the power of consultation with him rather than the obligation to send up everything over Rs. 50,000?—It might be done.

27565. So that you could go to him only when you were in difficulty, and not have to send up for any ordinary building?—Yes. There are plain-sailing work that we might do ourselves; it might be a good thing to make it optional instead of compulsory.

27566. In Dacca we were told that it led to considerable delay in getting under way in works; do you find that it leads to great delay here?—Only in one case that I know of in the year that I have been here.

27567. Was the result when it came back to you worth the delay?—We are quite satisfied, and so is he.

27568. Did he make important alterations, or did he just simply approve your proposal?—He made valuable alterations; one or two of our works here are practically his design; the planning is all done here, but the face work is his.

27569. Is a Rs. 5,000 limit for a really senior first grade Executive Engineer as big as it is safe to give him?—Perhaps it might be Rs. 10,000; that is at present the power of a Superintending Engineer.

27570. You think plans and estimates should be sent up in all cases over Rs. 50,000?—Only in the case of buildings.

27571. Simply because of the rule regarding the Government Architect?—Yes.

27572. Suppose that limit were raised would you raise the Superintending Engineer's powers also, or suppose the Government Architect was made simply consultative, would you alter the Superintending Engineer's powers then?—I think I would. It might go to a lakh then.

27573. (*Sir Frederic Lely.*) The question of proportionate pensions has been raised for getting rid of bad bargains; would that not be very unpopular and perhaps prejudicially affect the supply of recruits?—I do not think so.

27574. What would you say to a sort of compromise, saying to a man who has been passed over and declared unfit for further promotion, "We cannot promote you any further, but if you are disgusted and want to go you can go on a proportionate pension"?—It would be a very good thing.

27575. Would it be better than compulsory retirement, or would you advocate insistence on a man's going if he was unfit for further promotion?—Perhaps it would be the safer thing to insist on his going.

27576. It would be preferable to giving him the option, allowing him to stay if he wished?—Yes.

27577. As to the requirement to refer buildings over Rs. 50,000 to the Government Architect; has it ever happened within your knowledge that a man of your own department has developed a bent for architecture?—Yes, some of them have; it is exceptional.

27578. Would not such a system of compulsory reference to the Government of India Architect tend to depress a man like that?—I do not think so; he would be very glad of the advice of the Government Architect, however good he was.

27579. Who at present compiles the Public Works budget for the province?—It is compiled in the Chief Engineer's office, that is to say, in the Secretary's office by the Secretary; it is all passed by the Chief Commissioner.

27580. The Secretary compiles it from requisitions from various departments?—The requisitions from various Superintending Engineers and departments.

27581. The budget once being completed and duly passed, who makes the re-appropriations, or who has the power to substitute one work for another, or one road for another?—That we should not do without taking the Chief Commissioner's orders.

27582. Would it be done without consulting the local officers?—I fancy the Chief Commissioner would not alter it as a rule without consulting the local officers.

27583. But there is nothing in the rules to prevent a Deputy Commissioner from getting up some morning and finding that a work in his budget had been substantially altered?—Nothing at all, as the budgets have been prepared hitherto. We are trying to alter that now so that the budget in the future shall represent exactly what is going to be done in the year, and then Commissioners and Heads of Departments will only act up to that and send in their requisitions; then in future the budget will represent what is going to be done.

27584. Is there to be any alteration in the system of making alterations in the budget?—No.

27585. Suppose, as is suggested, an allotment was made to each division for roads and original works, and suppose the Commissioner got together the chief authorities of his division and worked out a budget according to the allotment made to him; would not that tend to promote co-operation in the general interests of the division?—It might, but it would be very troublesome towards the end of the financial year. In one Commissioner's circle a great deal will have been spent, and in another very little; one would be wanting money, another would have a lot of money lapsing. It would be very difficult to co-ordinate the five divisions.

27586. But you admit that it might have an advantage such as I have suggested?—It might.

27587. (*Mr. Dutt.*) Would it relieve the Executive Engineer if the District Board roads which he is now asked to construct were taken away from his hands and given to a special officer under the District Board?—Yes.

27588. Would it be a considerable relief?—Not a very large one because the District Boards in the Central Provinces have very little money, but in Berar the system is quite unsatisfactory and they are endeavouring to alter it.

27589. In what way is it unsatisfactory?—They have a very large amount of money in the District Boards in Berar, but the unfortunate Executive Engineer has to give completion certificates. He has to make estimates for them and then give completion certificates for works that he cannot possibly see and can only take on hearsay.

27590. On the whole if a plan was worked out to make over District Board roads to special officers under the District Boards that would have your approval?—Undoubtedly, especially in Berar.

27591. In that case, suppose each District Council could appoint an engineer of its own, would you recommend a number of the provincial roads being transferred to the District Boards, keeping in your hands only very important roads and buildings?—That might be done if they had any decent staff, which they have not got at present.

27592. If they had a qualified engineer in each district you do not see any objection to that being done?—Not at all.

27593. In that case their resources would have to be increased in the same proportion?—Yes.

27594. You have spoken of the appointment of Lower Subordinates and Upper Subordinates, the Lower Subordinates being appointed by the Superintending Engineer and Upper Subordinates by yourself?—They are appointed by the Chief Commissioner really; they are appointed by the Local Government.

27595. What are these Lower Subordinates generally?—Sub-Overseers.

27596. And the Upper Subordinates?—Overseers, supervisors and sub-engineers.

27597. Where are the Upper Subordinates generally recruited from?—From Roorkee and Subpur and Poona.

27598. Do they constitute the Provincial Service in the Public Works Department?—No, the Provincial Serice consists of the Assistant Engineers that come from Roorkee; they are all Provincial now. Sometimes we get them from Poona or Sibpur, but nearly always from Roorkee.

27599. The appointments to the Provincial Service are nearly always made by the Local Government?—No, the Provincial Service consists of Gazetted Officers; those appointments are made by the Government of India.

27600. And the appointments in the Upper Subordinate Service?—They are made by the Local Government.

27601. You do not make any suggestions as regards any change in the system of appointing Lower Subordinates?—No.

27602. But the Roorkee men, you think, might be appointed by the Local Government?—The Upper Subordinates, yes.

27603. Instead of their being sent to you by the Government of India they might be appointed by the Local Government?—Yes; we have power to do that now; we have quite lately got the power; we could not before appoint a single man without the sanction of the Government of India; now, if we have a vacancy, the Local Government has power to fill it without reference to the Government of India.

27604. (*Mr. Hichens.*) Do the District Boards make any contribution of funds to the Public

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Works Department for the roads which are built by the Public Works Department?—Sometimes if they are District Board roads.

27605. Are they scheduled as provincial roads and district roads?—Yes.

27606. You look after some of the district roads?—No, we survey for them and sometimes we make them, but they are all looked after by the District Boards.

27607. They do not pay you anything in respect of the provincial roads?—Yes. We took over many roads from them and made them provincial. Each district pays a certain proportion into the provincial revenue; it does not affect our budget at all.

27608. Roughly speaking, do they pay enough to keep them up?—No, they do not now at all. Many of their roads that we took over—this was about four years ago—have been raised in class; they still go on paying into the provincial revenues the same annual rate that they paid for the road as a low class road.

27609. Will you define what is meant by provincial roads and district roads; are those the classes A and B that you refer to?—Yes.

27610. What is a provincial road?—A road that is maintained out of provincial revenues; the other roads are roads that are maintained out of district revenues. As a rule the provincial roads are first and second class roads, that is to say, metalled or gravel roads; that is, the *kacha* roads are looked after by the District Board.

27611. Do you think it would be a good plan that all the roads should be transferred to the District Board, given that they had an adequate enginering staff?—No, I do not say all of them, not the first and second class roads. I would retain the main roads certainly; I would keep them under the Public Works Department.

27612. You do not think it would be an economical plan to have a highly efficient District Board Engineer who was responsible for all the roads in the district?—I have never seen an expert District Board Engineer yet; we have not got them in these parts; I believe they have them in other parts. The District Board Engineer of the Central Provinces is generally a sub-overseer on Rs. 20 a month.

27613. You say that the rules regarding the cost and rent of residential buildings are not satisfactory, and that the Local Administration should have much wider powers. How far would you be prepared to go in recommending wider powers?—I think the Local Government should be able to sanction residential buildings as it likes.

27614. To frame its own rules?—Yes, you cannot keep to the rules in one particular building; to have to refer each individual case to the Government of India is absurd.

27615. You would have certain broad principles laid down such as that, in normal circumstances, the rent should not exceed some percentage of a man's salary, but there might be power to make exceptions?—There might be power to the Local Government to make exceptions in individual cases.

27616. (*Chairman.*) You have been out here some time?—Over thirty years.

27617. Has there been in the course of that time a great rise in the price of building materials?—An enormous rise. I should say it is certainly double what it was thirty years ago; our rates are certainly 50 per cent., if not 75 per cent., higher than they were then.

27618. The size and importance of the building you carry out now is then about one-half of the size and importance of the building you could carry out thirty years ago?—Yes, the value is only half what it was practically.

27619. Then the building or work that you now sanction on your own responsibility is practically one-half the size and importance of what you could do, or a man in your grade could do, thirty years ago?—Yes.

(*The witness withdrew.*)

Major T. C. PLOWDEN, I.A., was called and examined.

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27620. (*Chairman.*) You are the Third Secretary to the Chief Commissioner?—Yes. I am responsible for the Education, Medical, Berar Revenue and Separate Revenue Departments of the Secretariat.

It seems anomalous that while Local Governments can add appointments on pay not exceeding Rs. 250 per mensem to existing grades up to a limit of Rs. 25,000 per annum they cannot create new grades or abolish existing ones. This restriction is due to a desire to secure uniformity in the pay of grades in all provinces, but the necessity for such uniformity is not apparent. I would remove such restrictions and allow Local Governments a free hand in establishing new posts, in creating new grades, in abolishing existing grades, and in adding to the pay and allowances of existing appointments subject to a rule that the net additional expenditure to be incurred in each financial year on all schemes in the year should not exceed one lakh of rupees. Local Governments should also be able to sanction deputations up to one year at least, without limit as to salary or deputation allowance.

With regard to the general question as to the best method of securing delegation, I think specific amending legislation for existing Acts is the more convenient. Future Acts should contain provision for the delegation of power by the Local Government to officers subordinate to it.

What has struck me in my Secretariat experience is the small amount of official intercourse between Local Governments. This must be due to too much centralization in matters of detail in the Government of India. If Local Governments were given greater freedom in developing their administration on their own lines, subject to general principles of policy which must remain in the hands of the Central Government, they would interchange views more frequently and each would benefit from the experience of the other. On the other hand, on all important questions of policy the pronouncement of each individual Government should be considered on its own merits and should not be overruled because the policy is accepted by some other province. I would illustrate my meaning by a reference to the question, still under consideration, of making primary education free in this country. This Administration has pronounced against the adoption of the policy as premature for these provinces, and the mere fact that other provinces in a more advanced state of progress may have accepted it should not be taken as a sufficient reason for applying it here.

Much greater discretion might be allowed to Local Governments in withholding petitions of appeal. Within my own recent experience we had to forward two memorials relating to orders with which there was not the remotest chance of the Government of India interfering. As a matter of fact that Government did not interfere, but in one of the cases a great amount of time and labour was expended in preparing the forwarding letter. Local Governments should not be required to forward returns of petitions and memorials withheld by them.

In the smaller and the more remote districts District Officers have plenty of opportunities for keeping in contact with the people, and of making themselves accessible to them. In large districts or in districts which are rapidly developing the Head of the districts has far less opportunities for keeping in touch with the people.

The real cause of increase of work is to be found in the progress and development of the country. The unit of administration in India is,

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and must continue to be so far as we can see, the district. One man must be the Head of the district and must be held ultimately responsible for its efficient government in all the various branches of administration. But as the country develops legislation increases, and with the increase in legislation the duties of the Head of the district must increase. For instance, factories multiply and increase, and a Factory Act follows. Again, the progress of the country demands executive initiative on the part of its administrators. It matters not whence the initiative comes, it may be from above or it may be from below, the net result means an increase of work. The initiative as often as not comes from the District Officer himself. For example, a Deputy Commissioner who has had much to do with the mineral development of his district discovers errors of form and procedure; he reports these with his suggestions to the Secretariat; other officers are consulted; all the points raised are then carefully considered in the light of the various opinions received, and the result is probably a new circular or a more elaborate form of return, as the case may be. But it cannot be contended that the new Act, or circular, or return is the result of a desire on the part of Government to legislate for the sake of legislation; it is prescribed because it has been found indispensable to the more efficient working of the matter to which it pertains. As an instance it has recently been found necessary to add a Manual on Mining to the manuals already in use in these provinces.

The only remedies are to reduce unwieldy districts to reasonable dimensions, and to give the Deputy Commissioners of those districts in which the desk work is very heavy a senior Assistant who could be empowered with the powers of a Deputy Commissioner. Recently the districts in Berar have been reduced from six to four. I think it was a mistake to reduce them. The Amraoti and Akola districts as at present constituted are too large for a Deputy Commissioner to administer properly. At least one more district should be made of portions of the Amraoti and Akola districts with headquarters at Ellichpur. Both Nagpur and Jubbulpore are very heavy charges, and might well be reduced. Chanda and Raipur are very large in area though perhaps the actual work is not so heavy as in Nagpur and Jubbulpore, but these two districts as well as Bilaspur might be reduced. I am unable to say what the dimensions of a district should be limited to; the area alone is no guide; the density of population, the state of progress in each district, the number of factories in each and kindred matters must be taken into consideration.

Appeals are far too frequent, and the result of allowing them to be made to the extent at present permitted is to diminish the District Officer's prestige and consequently his influence. The people now are much too fond of ignoring the local authorities and coming direct to the Head of the Government. This practice should be discouraged as strongly as possible. Reasonable facilities for appeal should of course be allowed, but excessive facilities lead the people to think that the higher authorities have no confidence in the ability and discretion of District Officers. Under the Berar Revenue Code it is possible for there to be two appeals and an application for revision in some cases, and one appeal and two applications for revision in other cases. As regards appeals and revisions I would lay down general principles as follows:—A first appeal should always be allowed. If on first appeal the original order is confirmed, no second appeal should be allowed unless the Appellate Court gives leave for a second appeal to be made. If on first appeal the original order is reversed or modified a second appeal should be allowed. No third appeal and no application for revision should be allowed in *any circumstances* in cases in which there has been a second appeal. In cases in which no second appeal can be made, an application for revision *on points of law only* should be permitted to the authority immediately superior to the first Appellate Court. No second application for revision should be allowed in *any circumstances*. With these principles embodied in the law, I would not deal with any details in the law. I would leave such details to be dealt with by rules under the law and having the force of law, issued by the Government. To Commissioners I would give the power of investing Assistant Commissioners in their divisions with all or any of the revenue powers (including appellate powers) of a Deputy Commissioner, and of determining the area in each district within which such powers should be exercised. When an Assistant Commissioner exercises any of the powers of a Deputy Commissioner the appeal against an order passed in the exercise of any such power should lie to the same Appellate Court as would an appeal from the Deputy Commissioner's orders, and should not lie to the Deputy Commissioner as is the case under the Berar Patel and Patwari Law. The idea of investing an Assistant Commissioner with the powers of a Deputy Commissioner is to afford relief to the Deputy Commissioner in his case work, but if the Deputy Commissioner remains the Appellate Court there is practically no relief; he does appellate work instead of original work.

In the old days the District Officer was looked upon by the people as the principal source of their benefits and as the final arbiter of their destinies, and in remote and jungly places this idea still exists. But progress in education and in civilisation, increase in material prosperity, the opening up of the country, the great improvement in communications, and the spread of local self-government are all factors which have brought the people more into contact with the outer world and have disturbed or displaced the traditional faith of the East in personal rule. This result is only the natural consequence of progress, and is a matter for congratulation; no one would dream of putting the country in its present condition of advancement back to the old methods of administration when the work of the District Officer was law. At the same time so long as the unit of administration remains in the district, the District Officer continues to be the back-bone of our rule, and to enable him to continue to discharge his functions efficiently we must search for other means of restoring his waning influence. Among these might be the grant of larger powers of control over expenditure to Divisional Commissioners and to Deputy Commissioners, and an increase in the Deputy Commissioner's patronage. With regard to the former lump sums might be allotted to Divisional Commissioners for distribution among their Deputy Commissioners; and as an instance of the latter the Deputy Commissioner might be empowered to grant naib-tahsildars leave up to three months and to appoint the officiating incumbent.

A sufficiently high standard of colloquial knowledge is not at present insisted on. The colloquial examination should be made a much severer test, and at the same time young officers should have more leisure and greater opportunities given them for preparing themselves for the examination. In the departmental examination all papers without books should be abolished; the test is of no practical use. No one works without reference books at hand, and what we want to find out is whether the examinee knows how to use his books. I would also abolish the rule which does not allow increases of pay till the examinations have been passed, as it only encourages cramming, and would increase the period for passing from three to four years. As a standard I would insist on candidates being able to converse fluently; they should also know something of the proverbs and sayings of the people, and should be able to understand the lower classes as well as the more educated classes. A man who can crack a joke in the vernacular will always get on with the people; greater attention should be paid to pronunciation. A young Assistant on joining should be attached for at least six months to the office of a good Deputy Commissioner; he should go into camp with the Deputy Commissioner, should see how case work is done and should try his hand on unimportant cases and petty inquiries. At headquarters he should make himself thoroughly acquainted with all the routine of the

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office. He should then be attached to the office of a Divisional Commissioner for another six months. He should not be put on to regular work during his first year. I am also of opinion that every officer should be given an opportunity of seeing the working of the Secretariat, and would make it a rule that every officer of about six to eight years' service should do a spell of special duty for at least six months in the Secretariat.

I am not in favour of District Advisory or Administrative Councils. Their creation would not tend either to increase efficiency or to diminish work; on the contrary much of the work would have to be done twice over. Local self-government was started too soon in this country and a beginning was made at the wrong end. We made provision for creating elective bodies before we had a properly qualified electorate. As recently as 10 years ago at some *taluk* Board elections which I held only 4 per cent. of the voters turned up, and it was obvious that the mass of the people took no interest in the proceedings or in the results. I would not repeat the same mistake with regard to District Advisory or Administrative Councils. I very much doubt whether such Councils would be popular and whether they would attract the best class of man, and they would therefore do more harm than good by becoming barriers between District Officers and the mass of the people.

The old village panchayats cannot be revived now. The present generation is too much used to having its petty criminal and civil cases decided by properly constituted tribunals to wish to have these cases settled in the village. But a beginning might be made by forming village councils on modern lines in selected areas. Their functions should be limited to purely administrative matters such as sanitation and education. I do not think they could ever be placed in control of the police, and I am very doubtful whether they should be allowed to deal with revenue questions. Local self-government has done best in municipal areas, and I see no reason why District Boards should be given any control over the smaller municipalities in their districts.

A simpler form of legislation, especially in Acts of local application, would tend to make administration generally less rigid and more elastic. The law should be limited to general broad principles; the detailed procedure for giving effect to these principles should be dealt with in rules issued by Government under the law and having the force of law. Such rules grow up in time in the light of actual experience of the working of the law; they can be made elastic and flexible, and they can be altered from time to time without necessitating fresh legislation. The Local Government should also be empowered to delegate any of its powers to any Revenue Officer not below the rank of Deputy Commissioner.

27621. You tell us that there is very small official intercourse between Local Governments; is there any restriction on the intercourse, official or non-official, of Local Governments?—No, none whatever.

27622. So that if they do not consult each other as to their proceedings and as to the changes which they want to make in their administration, that is not due to any restriction on their actions by the Government of India, but to their own want of action?—If the Government of India did not pass detailed orders, such, for example, as in the matter of a School Final Examination, we should probably consult the United Provinces on our scheme. But when we get down a letter from the Government of India, laying down the lines on which a particular subject is to be dealt with, there is not much scope for us to discuss matters with other Governments.

27623. You get a letter down from the Government of India simply saying what they want; they do not order you?—No.

27624. Is there any reason under those circumstances why you should not write to the United Provinces Government and say, "India asks us to do so and so; we find it inconvenient; what is your practice"?—No.

27625. Nothing is done in that direction?—No, the intercourse between the provincial Governments is very small.

27626. Might it be advantageously increased?—I think it might.

27627. You have never made any suggestion to that effect during your Secretariat career?—I have. We have consulted the Bombay Government on two or three occasions as to land tenures in Berar.

27628. To the advantage of both Governments?—Certainly to our advantage.

27629. You tell us that the unit of administration in India is the district, but you also suggest that as the country develops the duties of the Head of the district must increase. That would be not only in volume, but in variety?—Certainly.

27630. Can one man have such a cognizance of factory legislation, the distribution of water, the alignment of roads and so forth, that he can possibly continue to direct the policy of a district in all these different matters?—It is very essential that one man should do it, and it is possible that he should be able to do it as long as he is relieved of a good deal of routine desk work. He has got more or less expert advisers in every department to help him; he does not profess to be an expert, for instance, on irrigation or forestry, but, as District Officer, he knows the requirements of his district, and he knows where the shoe pinches.

27631. You are fairly familiar with the work required of a District Officer and the proposals made by your Government here to lighten him of that work; if those proposals were accepted would he have time to direct the policy in all the various departments?—He would in the smaller districts; in the bigger districts you would have to reduce the area.

27632. No amount of decentralization would help him to keep pace with all the work unless the size of the area was reduced?—That is my view.

27633. No increase of the staff subordinate to himself would meet the difficulty?—It would meet it to a great extent. Suppose you have two subdivisions in a district and you made four subdivisions; that would give relief in a certain amount of case work. But I am in favour of having respectably sized districts, because the Deputy Commissioner is much more able to get to know the people and the needs of a respectably sized district than he is of a huge district like Chanda, for instance.

27634. What in your judgment would be a respectable size for a district?—You cannot do it by area alone; a very sparsely populated district of 4,000 square miles might not be too big, and a densely populated industrial district of probably 600 square miles might be sufficient.

27635. Can you give it to us by a sort of combination of area and population?—The Chanda district is 10,000 square miles; a good deal of Chanda is in a backward state; I do not know it personally, but a great deal of it is jungle. I should say that it would be easier to manage a district like that than Amraoti with 4,000 square miles which contain 4 municipalities and 32 factories, whereas Chanda contains only 7 factories; the population of Chanda is 57 to the square mile; the population of Amraoti is 169 to the square mile. I think the density of the population is perhaps the most important factor of all.

27636. You cannot give us any generalisation?—No, that could only be done by a committee going into the conditions of each district.

27637. How long would you keep your Deputy Commissioner in his district?—At the minimum 3 years. As a maximum I see no harm in 7 years, but it is as great a mistake to keep a man too long as to keep him for too short a time.

27638. You speak about a young Assistant being attached for at least six months to the office of a good Deputy Commissioner. Would you approve of a suggestion which has been made that an

assistant should be sent for training under a Settlement Officer?—It would be a good thing if he was attached to a man who was doing settlement work; there is no better way of getting to know the people.

27639. Would you send him straight to headquarters?—I would attach him first to headquarters to let him get hold of the routine work.

27640. For how long would you have him there?—At least six months.

27641. Then you would send him out on settlement work?—Yes, or he might go with the Deputy Commissioner in camp. Perhaps it would be better not to send him out with a Settlement Officer after he had done a few years both in camp and at headquarters.

27642. (*Mr. Dutt.*) You spoke of Amraoti as one of the heavy districts in respect of its population and area combined. The population I find is 85,490. Are you familiar with the size and population of the Bengal and Madras districts?—No; all I know about Bombay was when I served in Buldana, which is next door to Khandesh, a very unwieldy district which has since been broken up.

27643. You are not aware that the average Bengal district has about double that population—a million and a half?—I should be very sorry to be Deputy Commissioner of a district like that.

27644. And the area of a Bengal district may be over 4,000 square miles?—That is greater than Amraoti.

27645. The average area of a Madras district would not be less than what you have put down here for Amraoti; they run nearer 6,000 than 4,000 square miles. Considering these facts would you still think it unreasonable to expect a Deputy Commissioner in Berar to manage a district like Amraoti?—I do.

27646. Are there any other circumstances which make it very difficult for a Deputy Commissioner in Berar to manage districts, the size and population of which are less than the average districts in Madras?—Yes. One thing is that the Berari is a very litigious person; he is also a very rich person, and Berar is very small in area, very compact, very densely populated, and very well served with communications.

27647. You said that if instead of decreasing the number of districts the number of sub-divisions were increased that would give some relief to the Deputy Commissioner?—That is an alternative plan, but I prefer the reduction of districts.

27648. Is it desirable or necessary to increase the number of *tahsils* in each sub-division?—In Berar there is no doubt you will have to give some help to some of the *tahsildars*; they are very much overworked at present. Take a *taluk* like Akot in the Akola district, where the land revenue alone is 6½ lakhs; that is an enormous revenue for one *taluk*.

27649. I understand that in the Central Provinces the number of *tahsils* is even smaller than in Berar; generally there is only one *tahsil* corresponding to one sub-division?—It may be so, I am not very familiar with the Central Provinces.

27650. Is it desirable that the Sub-Divisional Officer should reside in his sub-division throughout the whole of the year or the greater part of the year?—I think he should always reside in his sub-division.

27651. You think he would be more in contact with the people?—Yes. As a matter of fact in Berar, in the three principal sub-divisions, the Sub-Divisional Officers all reside at the headquarters of their sub-divisions.

27652. (*Mr. Hichens.*) You are in favour of allowing the Local Government a free hand in the establishment of new posts?—I would rather like to qualify that. I think the powers of the Chief Commissioner should be confined to the Provincial Service, and that he should be able to create new appointments up to the maximum pay of the highest grade Provincial Officer. Under his present powers the Chief Commissioner could add two officers at Rs. 250 each, that is to say, he could add Rs. 500 to the total expenditure of the province, but he could not add a Rs. 300 post in place of those two at Rs. 250 each; therefore he cannot do a thing which would result in a saving of Rs. 200. He might be allowed to deal with his own *cadre* in the Provincial Service.

27653. Suppose every province was allowed to decide for itself in such cases what pay it would give, would that give bad results?—There would be inconveniences attaching to it, and that is probably why the Government of India have kept this power; you might find a certain grade paid a certain amount in the United Provinces, and the men in the Central Provinces might ask to be placed on the same footing.

27654. Is there any reason why the Central Provinces should be hampered in considering what they should pay their own people?—No, it should be decided on its merits.

27655. You think they would be capable and rational enough to decide the matter on its own merits?—I should say so, certainly.

27656. Would you say that the same thing applied to many of these allowances as to which there are very rigid Government of India rules, such as travelling allowances?—You must have more or less uniformity in travelling allowance rules.

27657. Is the general principle that you have got to try and find out how much it costs a man to travel, and to reimburse him his out-of-pocket expenses?—I suppose so.

27658. Is not the Local Government perfectly capable of applying itself to that problem and solving it satisfactorily?—Yes, they are quite capable of it.

27659. And if one solution applies to one Local Government and another to another, it may be that each system is more applicable to the particular province in which it is applied?—That would be the deduction.

27660. There is every reason to suppose that they would be capable of working out the schemes most suited to themselves?—I think so; I had not travelling allowances in my mind; I was thinking more of grade pay.

27661. There is no particular reason to suppose that if the Local Governments had that power they would abuse it?—None whatever.

27662. And if they would not abuse it, there is no reason to suppose that the travelling allowance in one province would be excessively higher than in another?—No.

27663. They would allow more or less the same, and if there were slight divergencies it might be even an advantage; in order to give you a basis of comparison?—Yes, if the provincial Governments had to lay down their own travelling allowance they would communicate with each other and try to get them as near the same level as possible.

27664. Would you say that there is no one road in regard to administration which is absolutely right to the exclusion of any others?—I should agree with you there.

27665. Therefore it might be well that the Local Governments should experiment to see which is the best?—Yes.

27666. (*Mr. Meyer.*) Are not Local Governments composed of officials?—Yes.

27667. And they deal with travelling allowances and other concessions to other officials?—Yes.

27668. Those officials may be related to them?—Yes.

27669. Or they may be their personal friends?—Yes.

27670. Might there not be some little risk in giving Local Governments in those circumstances an entirely free hand as to travelling and other allowances?—If they were fixed by rule by the Local Government, I do not see how friends and relations would get any advantage.

27671. If the Local Government fixed the rule, and it found it was inconveniently affecting certain

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officials, it could alter the rule?—Yes, as to officials *quâ* officials.

27672. Is there not a possible advantage in having these questions referred to higher authority which does not know the men and which deals with them as abstract personalities?—That is, of course, supposed to be the advantage of the Government of India system. I think the Local Government can be trusted not to be biassed in the way suggested.

27673. A local allowance is supposed to be simply in compensation for the additional work or additional expense of a particular locality?—Yes.

27674. There were three local allowances granted for the Berar sub-divisions?—Yes.

27675. We have been told that ever since those were granted, there has been a constant transfer of officers; was that in order that they might get the local allowance?—The posting of officers is not dealt with in my branch of the Secretariat, but I should say the senior men are posted there because they are most fitted for the post; if I had the posting, I should certainly put the most senior man in, irrespective of the local allowance.

27676. Although you knew that the senior man would be presently going off to be a Deputy Commissioner?—Yes, because being in a sub-division gives him the best training for his work as Deputy Commissioner. The only way to avoid frequent transfers would be to increase the *cadre*.

27677. You do not think that local allowances might come to be regarded as additions to salary?—The senior Assistant Commissioner always looks upon himself as having a better claim to a sub-division than the man junior to him.

27678. Because there is the local allowance?—There is the local allowance, and it is also because the work is so much more responsible.

27679. He is so chivalrous that he desires to go to the place where the work is heavier?—It is not a question of chivalry, but as a matter of *izzat*.

27680. You have read the report of the Excise Committee?—Not all of it.

27681. You have read the portion in which they brought to notice the way in which provincial Governments got into compartments in the matter of excise and had not consulted each other; is that an instance of what would happen if in all things provincial Governments were simply allowed to consult each other, and did not receive instructions from the Government of India?—We ourselves formed our own excise system here on our own initiative, and we went to Madras for help in revising it.

27682. But as regards most provinces, the Excise Committee found that they had gone on with their own provincial methods?—Yes.

27683. Have you had the Inspector-General of Excise here?—Yes.

27684. Have you had the benefit of his advice?—I only saw him once, but I can quite imagine that we shall benefit from his advice.

27685. You think the appointment is a good one, and that it is likely to help the province without sapping provincial independence?—Yes.

27686. Your old system in Berar was apparently one of centralization at the district headquarters?—Very badly.

27687. There was no such thing as a sub-division in former days?—Only in one place.

27688. Your Deputy Commissioners did everything practically through the headquarters Assistants?—Yes.

27689. At the same time they were constantly being transferred, so we have been told by a previous witness?—Yes, there were a good many transfers of Deputy Commissioners; I was most of my time in one district.

27690. The sub-divisional system has been due to the amalgamation of districts?—Partly, and partly to breaking up the old system of centralization; the revenue work in those days was very much centralized; it was almost entirely in the hands of the Deputy Commissioner.

27691. You are rather in favour of the old system; you like small districts and everything centralized in the hands of the Deputy Commissioner?—Not everything centralized in the hands of the Deputy Commissioner; I am in favour of relieving him largely of routine and case work.

27692. With regard to magisterial and revenue work you have two alternatives; you have the policy of sub-divisions with the Deputy Commissioner controlling or inspecting, and you have your old Berar policy of letting the Deputy Commissioner run things direct; which do you prefer?—I am not in favour of the old Berar policy. I did not mean that; I am in favour of relieving the Deputy Commissioner of a great deal of routine work and giving him more time to travel about and get to know the people.

27693. You approve of the sub-divisional system as introduced in the places you have mentioned?—Yes.

27694. You have heard Mr. Dutt's remarks about the Madras system; in accordance with the policy that you yourself indicate here, suppose your Local Government were to start a scheme of reducing districts, might it not be advisable before you do that to send an officer to study the Madras system?—I should have no objection to the case being examined on its merits.

27695. Where your Sub-Divisional Officer has been vested with the powers of a District Officer under the land laws, the appeal goes to the Deputy Commissioner as the District Collector?—Yes.

27696. Do you object to that?—I do; you relieve him of original work, and you give him appellate work; therefore his desk-work remains very much what it was before.

27697. It is much easier to deal with a case on appeal than to go through an original case and hear witnesses?—Personally, I would rather deal with a case originally than on appeal.

27698. Under the system you advocate the appeal would go to the Commissioner?—Yes.

27699. And the second appeal would go to the Chief Commissioner?—Either a second appeal or an application for revision, as the law stands at present.

27700. Your proposed system relieves the Deputy Commissioner at the expense of the Commissioner and of the Head of the province?—Yes, it would give the Commissioner more work, and would throw more work on the Secretariat.

27701. Is that a sound system?—I certainly think so.

27702. The Deputy Commissioner is to be relieved first, and the Head of the province later?—I would not put it in that way, but I do not see any other way in which you can relieve the Deputy Commissioner.

27703. In Bombay and Madras, the Deputy Commissioner hears the appeals first; it is supposed to be one of his methods of knowing what is going on in his district?—I do not wish to press the point.

27704. Might not Sub-Divisional Officers when they exist, take criminal appeal cases within their sub-divisions?—Yes, and they do; if they are considered fit for appellate powers under the Code, they have those powers.

27705. We were told that they did not take them as a matter of course, but only when the District Magistrate chose to give them those powers?—So far as I remember, we issued an omnibus notification investing all Sub-Divisional Officers in that capacity with appellate powers.

27706. (*Sir Steyning Edgerley.*) You suggest that you should take the present opportunity of specific amending legislation for past Acts, and for the future have a sort of General Clauses Act allowing delegation?—Delegation clauses might be included in each new Act.

27707. You would not put it, for instance, into a general Act once for all?—No, it depends of course very largely on the nature of the Act.

27708. Would you, by the procedure of a Legislative Council, get more security of notice to the people of what was going to be done, than by the procedure of notification of intention under a general Act?—I should think that under the Legislative Council you would get more notice. Probably people would talk about it, and would tell other people about it.

27709. There was a specific Act passed, Act I. of 1903; it was published by order of the 20th February; it was passed in the Viceroy's Legislative Council on the 6th March; do you think that people would have had more chance under that form of procedure than they would have had by notification as to specific legislation?—I think the time given by that notification is far too small to let people know.

27710. My suggestion of your opinion is that by a notification under a general Act, you can give just as efficient notice as you do in connection with the passing of a specific Act in the Viceroy's Council. If you had a general Act, which you could use at any time, with a clause of the sort I suggest, would you not practically protect the people against surprises?—Yes, if you gave very ample notice.

27711. If you had such a general Act, you could then use it without going to the Legislative Council on every occasion?—You mean a general Delegation Act, and notice given that in pursuance of the terms of that Act you propose to delegate certain powers; yes, that would be an advantage.

27712. Berar is very liable to the influence of the Deccan, Poona, and so on, and of course it is close to the Central Provinces. Have you ever found that your officials have been much affected in the matter of differences of pay in Bombay or in the Central Provinces; have you had much trouble in meeting complaints that they were paid higher in the two neighbouring provinces?—No, but as a matter of fact the pay of some of the subordinate officers in Berar has lately been raised on the merits of the case of these officers, on account of the increasing dearness of living.

27713. It is practically quite simple to hold the principle that each province can be treated on its merits without much attention to arguments as to the rates paid in neighbouring provinces?—Yes.

27714. Your system of appeals omits one contingency; there may be three views of a case; it is just possible that a first Court should take one view, your first Appellate Court another view, and your second Appellate Court agree with neither. What would you do in that case; is it provided for under your system?—I say "If on first appeal the original order is revised or modified, a second appeal should be allowed."

27715. But suppose the second Appellate Court modified it again, agreeing with neither actually, would that be absolutely final?—Yes, that would come under my proposal that no third appeal and no application for revision should be allowed in cases in which there had been a second appeal.

27716. You do not want to allow appeals to go on until you reach two concurrent decisions?—If a man is allowed a first appeal and can go on to a second Appellate Court if the first Appellate Court does not agree with the Original Court, that seems to me to be quite sufficient.

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27717. Is not the Government of India composed of officials?—Yes.

27718. Even the Finance Department of the Government of India is composed of officials?—Yes.

27719. They frequently have friends and relations in India?—Yes, I think they must have.

27720. So that if you want a thoroughly impersonal decision, you must send everything to the Secretary of State?—That would be the logical conclusion from that argument.

27721. But you think you might trust the Local Government to hold the scales even in its own province, just as much as you can trust the Government of India to hold the scales even in an Imperial Department?—Yes.

27722. (*Sir Frederic Lely.*) What is the rule about touring in Berar?—In the old days, before we came over, the Assistant Commissioners were allowed to do very little touring, but now the Central Provinces orders have been applied, and there is no complaint about not enough touring done in Berar.

27723. Is it not of great importance to prevent Berar from being forced into the mould of the Central Provinces as to its fundamental institutions?—Yes.

27724. Are you satisfied with the arrangements that have been made to secure that?—I am.

27725. As an officer of Berar experience, you are in special charge of Berar land revenue?—Yes.

27726. Other matters not connected with land revenue are dealt with along with similar matters in the Central Provinces?—Yes.

27727. Are you ever consulted as to any of those other matters?—Yes, I frequently have cases such as forest cases, sent across to me for my opinion.

27728. Then you are the repository of the Berar traditions in the Secretariat?—Yes; if the other Secretaries are dealing with a case referring to Berar, they can always send across to me, and they do so frequently; similarly if I am dealing with any Central Provinces matters, with which I am not very familiar, I send the file across to a Central Provinces Secretary for his opinion.

27729. Has the Berar village more of a constitution than the Central Provinces village?—I am not very much acquainted with Central Provinces villages, but the fact that you have a hereditary *patel* and a hereditary patwari in Berar means that you have a greater constitution in a Berar village, I should think, than in a Central Provinces village.

27730. Would it be possible to form a panchayat and to endow it with a certain amount of authority?—As regards civil and criminal cases, I do not think people would like to go back to the panchayat, now that they are so used to regularly constituted Courts, but you might try a sort of small village union for their own internal affairs on a small scale.

(*The witness withdrew.*)

Mr. W. N. MAW, I.C.S., was called and examined.

27731. (*Chairman.*) You are Second Secretary to the Chief Commissioner?—Yes, as such I am responsible for the Agriculture, Forests, Commerce and Industry, Finance, and Local and Municipal Departments.

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The Government of India should maintain an effective control over the finances of Local Governments and that principle should not be relaxed. Proposals for giving provincial Governments larger financial powers should be confined to matters of detail, and should not be directed against this principle. Local Governments should be given a limited power of appropriating money from their estimated closing balances on objects of public utility which have not been specifically provided for in the budget. The concession of this power would not in any way impair the effective control of the Government of India over provincial finances, though it might to a trifling extent curtail its borrowing powers. At present if the budget provision of a department proves inadequate the Local Government has, if possible, to supply the deficiency by re-appropriating money from some other department. When no re-appropriation can be suggested, it is necessary for the Local Government to apply to the Government of India for an additional grant; in other words, for permission to draw on its own balance. This procedure is inconvenient and causes delay; but it is avoided to some extent by the device of providing

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lump sums in the budget estimates for the reorganisation of establishments which have not received sanction, or for improvements which are contemplated, but have not been worked out in detail. Much inconvenience and unnecessary correspondence would be saved by the introduction of a rule empowering Local Governments to reappropriate up to a certain limit from their closing balance. In the case of the Central Provinces this limit might be fixed at 5 lakhs, and this amount should be entered on the expenditure side of the budget under a new head, "provincial reserve."

The Government of India are too apt to reduce the provincial estimates of expenditure sent up with the budget. Petty reductions by the Government of India are quite unnecessary because the Local Government, which is in the best position to estimate the requirements of the province, is in the habit of curtailing the departmental budgets when they are framed on too liberal a scale. The Government of India in some cases make reductions in the estimates of expenditure with the sole object of obtaining accurate budgeting, and declare that they have no desire to curtail useful expenditure. The result of this procedure is however that the departments concerned, in their desire to keep within their budget provision, postpone works or reforms which they had intended to carry out; and thus the expenditure at the end of the year tends to approximate to the reduced estimates sanctioned by the Government of India, not because the estimates as submitted by the Local Government were too liberal, but as a direct consequence of the reduction made by the Government of India for the sake of accuracy. When this happens the Government of India must conclude that their reductions were warranted; similar reductions are made in the next year; and the expansion of the department concerned is unnecessarily retarded.

Under the quasi-permanent provincial contract which came into force with effect from the 1st April, 1906, the following heads of revenue and expenditure were divided equally:—Stamps, excise, assessed taxes, forest and land revenue as to receipts but not as to expenditure. The settlement was much more liberal than preceding ones, and the Local Administration is perfectly contented with it; but it may be found necessary from time to time to revise the allocation of funds.

I see no reason why Local Governments should not be given borrowing powers provided that they are in a position to repay the interest on the loans and arrange for a sinking fund for the liquidation of the debt. By this means it would be possible for Local Governments to raise money for feeder railway lines which are badly needed. At present there is no prospect of feeder lines being constructed on any considerable scale for years to come. The progress in opening main lines, which are the ones most likely to be sanctioned by the Railway Board, has been very slow; the provinces had for instance to wait years for sanction to the construction of the Nagpur-Itarsi line.

With regard to the delegation of financial powers the present rules confer on this Administration as much authority as could reasonably be expected. The tendency of the Government of India is to relax the restrictions imposed on the powers of Local Governments by the Civil Service Regulations and the Civil Account Code, and future delegation of powers should be left in their hands to be proceeded with gradually and cautiously. There are however numerous petty restrictions which might with advantage be removed at once. With regard to local bodies the account rules should be examined in detail, and it would then probably be found that there are numerous petty matters requiring the orders of the Chief Commissioner which might perfectly well be left to Commissioners. Much has, however, already been effected in the direction of decentralization: and the general tendency is for the Local Administration to divest itself of powers the retention of which serves no useful purpose.

Many of the districts in the Central Provinces are too large to be administered under one Deputy Commissioner. I refer especially to Chanda, Raipur and Bilospur.

27732. Is the provincial budget prepared by districts or by subjects?—It is prepared both by subjects and by districts. The budget by subjects, such as excise, is based upon estimates submitted by the districts. In the same way with all the subjects. The budgets are first of all checked by the Comptroller; he sends them on to the Finance Secretary.

27733. But who makes up the budget?—For the greater part the budgets are departmental, and they are prepared by the Heads of the Departments; the Deputy Commissioner has very little work in connection with the budget; he only prepares the budget for his own expenditure and for land revenue and for other things which are not directly departmental, such as excise, education, registration, and so on.

27734. But does a budget of expenditure and revenue come up to the Finance Department from each Commissioner's division?—Not for the division; it is prepared for the province as a whole.

27735. By the Finance Department?—Yes; first of all it comes through the Comptroller; the Comptroller makes any alterations or corrections he thinks fit, and sends it on to the Chief Commissioner for sanction.

27736. If there was a system of divisional budgets as has been suggested, either in whole or in part, there would have to be quite a new system in vogue throughout the province?—Yes, there would be a very great alteration.

27737. Do sanitary schemes come to you in the Municipal Department?—Yes.

27738. Before they come to you, are they criticised by any experts?—It is very seldom that we have had any big sanitary schemes.

27739. You have got a big one for Nagpur in preparation?—Yes, that is about the only one.

27740. Has that been to you in the Local and Municipal Department?—It is just commencing.

27741. Have you any expert advice to guide you?—The Sanitary Inspector has been employed at present, in Nagpur, working out a drainage scheme; the scheme in Nagpur is a scheme for the construction of a large reservoir because the water obtained from the present reservoir at Ambajhiri is not sufficient for the necessities of the town.

27742. Will it come to you eventually for criticism?—This big scheme about the large reservoir that they are going to construct is not really a sanitary scheme. There is a large drainage scheme which may cost about 40 lakhs; that has all been worked out in detail by Mr. Lane-Browne, who is an expert; it will come to me, because I deal with all correspondence in the Local and Municipal Department, and it will be necessary, among other things, to provide the funds.

27743. Is there any necessity for the Government to employ expert assistants?—The technical part of the work will be entirely done by Mr. Lane-Browne; we could not, of course, pretend to criticise that.

27744. You tell us that the Government of India have been too apt to reduce the provincial estimates of expenditure. What has been the result of their reductions in the last few years? Has the Local Administration spent up to the reduced estimates sent back by the Government of India?—We have not quite spent up to them, because when you get a provisional budget it is necessary to keep within it. It is impossible to exceed it without getting a grant from the Government of India, and that entails a certain amount of trouble. The very fact of reducing the estimate tends to lower the expenditure under that head during the course of the year.

27745. Have you practically worked up to it?—In 1906-07, for the Central Provinces and Berar, we budgeted 3 lakhs under excise; the Government of India cut us down to 2¾ lakhs, and we only worked up to Rs. 2,38,000. In the same way with regard to forests; as a general rule the Government of India estimates come out nearer to the actuals, in almost every case, than ours.

27746. Did you practically work up to the reduced estimate, or were there some considerable discrepancies?—We practically worked up to it.

27747. Your suggestion is that you could have worked up to your own original estimate if you had not had your figures reduced?—Yes. If there had been a smaller margin, we should probably have worked up to a smaller amount than was given to us by the Government of India. Fresh orders have come out upon this subject, which will obviate all difficulties in the future.

27748. What is the date of those orders?—The 18th January, 1908. We are going to have two figures, one will be the full amount we ask for and want; that will be passed; for instance, the Forest Department will be allowed to work up to that figure, but the Government of India will take a reduced figure, reducing it on account of probable savings, and it will be the duty of the Comptroller and the Head of the Department to warn the Head of the Administration if the lower figure is likely to be exceeded; if it is likely to be exceeded, the Head of the Administration will apply for an additional grant. In that way the Head of the Department is unaffected by the reductions; he may not know anything about them. If he has a big scheme for roads, tanks, wells, or rest-houses, he makes up what he wants, and if he is going to exceed the figure fixed by the Government of India, it is increased without his knowing anything about it. That I think ought to work very well.

27749. You think it will give you the reasonable freedom which you desire?—It will also render it unnecessary for us to ask for reserve funds, as I have suggested.

27750. (*Sir Frederic Lely.*) You say that the system of divisional budgeting would involve great alterations; in the provincial budget all the change that would be required would be that instead of details of certain smaller Public Works, you would substitute a lump sum for each division?—I imagine that it would be necessary to put down all the details as at present in the provincial budget, but to give them according to divisions also; otherwise it would be impossible to work up to any lump sum.

27751. The details, according to this system, would be settled by the Commissioner?—There are a lot of subjects in the budget which really do not come to the Commissioner very much. I do not know whether this proposal will affect excise, for instance, and education.

27752. The proposal in one form is that the smaller Public Works, both original and repairs, of all departments in the division, should be provided for in a divisional budget, which should be framed by the Commissioner in consultation with the departmental authorities; if that was feasible, at any rate it would bring about more co-operation between the Commissioner and the various departments?—I think it would.

27753. It would probably bring them all into line more than they are at present?—I think it would, and it would be very desirable with regard to Public Works.

27754. And also with regard to other departments who demanded expenditure?—In the case of other departments, I do not know that the Commissioner has very much to say. Take the Police Department, the Inspector-General of Police makes out a list of new police buildings.

27755. Is that not a matter in regard to which the Commissioner of the division should have as much say as the Inspector-General himself?—My idea is that there would be no difference of opinion as a rule between the Commissioner and the Inspector-General.

27756. Would it not bring the Commissioner to some extent into touch with the Police Department?—It would have that effect.

27757. (*Mr. Dutt.*) You suggest that the Local Government should be given borrowing powers. Should the sanction of the Government of India be taken before a loan is contracted by the Local Government in each case?—No, that is not my idea.

27758. You think the Local Government should be allowed to borrow without informing the Government of India and without obtaining their sanction?—I imagine that if powers were granted, it would be subject to certain rules. I certainly would not like to say that it should not be necessary to inform the Government of India.

27759. You think that the Government of India should be simply informed when a loan is made?—I think so, and that limit might be prescribed as to the amount up to which we might borrow, which might depend on the state of our finances; it would not be a fixed amount.

27760. Would there be any advantage in that procedure, or could the Local Government borrow on easier terms from the Government of India when it required to borrow?—I can scarcely express an opinion as to whether they could borrow on easier terms. If we could borrow from the public, it would be very useful to carry out works for which it is very difficult at present to enlist the sympathy of the Government of India. There are several small feeder lines which I know would pay hand over fist, and which have no prospect of being constructed for years and years to come. Our recent settlement will probably enable us to borrow at any time up to about 50 lakhs or a crore. If it were laid down that we were allowed to borrow that amount for remunerative work of that kind, it would create a great stimulus to the construction of such works.

27761. You cannot tell us whether it would be possible for the Local Governments to borrow on the same easy terms as the Government of India?—I think we could borrow in the Nagpur Division on quite easy terms. Some years ago an attempt was made to raise money for a small railway; the capital was forthcoming; I do not know what the rate of the interest was. I have no doubt that money will be forthcoming at a reasonable rate of interest.

27762. That would not require any sort of guarantee by the Government of India?—No; I suggest that the Local Administration should be responsible for any loans that they raise.

27763. You do not think there is any risk of Local Governments launching into a great many enterprises which would not be remunerative in the long run?—There would be considerable risk, and therefore permission should only be given under certain conditions prescribing the kind of work for which the loan should be taken, and also laying down certain limits which should not be exceeded

27764. Could you, by any rules laid down beforehand, prevent a Local Government from undertaking doubtful enterprises, if they were so inclined?—If you give the Local Government power to embark on schemes which promise to be remunerative, they might be trusted; they would not knowingly embark on schemes not likely to be remunerative.

27765. In every such case should the Local Government have a sinking fund to pay back the loan within a certain number of years?—Yes.

27766. We have been informed that the resources of the District Boards, especially in matters of education, are so limited that the requirements of primary education cannot be even approximately met in the Central Provinces, and we were told that in a sub-division with about 500 villages, there were only about 40 primary schools. Can you suggest any way in which that could be remedied?—Every year almost we give enhanced contributions to District Councils, and these are fixed contributions; they are not doles. For instance we have just raised the contributions to Rs. 5,09,000; that was raising the contributions by about half a lakh. That is rather unsatisfactory, because there is no elasticity about it. It is really Government money which the people are expending. We have a scheme at present (we are very shortly going to send up a draft Bill to the Government of India) to give District Councils power of controlling markets in certain circumstances, also to license

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brokers, and to order compulsory registration, to charge bazaar dues, and things of that kind. There are two or three cases in which that procedure is adopted at present in the Balaghat district and the Seoni district; it is at present illegal and we propose to legalise it. The result of that will be to bring in an income of something like two lakhs, perhaps, to the District Councils in the whole province. At present the receipts are about Rs. 20,000, over one or two bazaars. It is quite possible that in the end the receipts may come out at four or five lakhs for the whole province; that is a very important measure, and it will help to remedy the present state of affairs. It will give at any rate much more elasticity.

27767. Would you invest the District Councils with the power of imposing this new taxation which has been proposed?—Yes.

27768. You would not make any rule that the taxes should be universally imposed?—No, it would be very similar to the working of the Village Sanitation Act; in fact the power is given just as it is enjoyed by the panchayat under the Sanitation Act; it is to enable the District Councils to declare markets, on payment of compensation if necessary, to be public markets, and to manage them and impose taxes, tolls and dues.

27769. Are the District Councils likely to impose these taxes in every case?—Certainly; they will take the bazaars one by one; they will take the most important ones first. In a small district there are not likely to be more than half a dozen of these markets; in advanced districts like Nagpur and Warora there may be more; in several places markets are held on waste land, markets that have been held there from time immemorial, and at present no revenue is derived from those.

27770. Would not such taxation be unpopular?—No; the compulsory registration of cattle is very popular.

27771. Apart from that, if the District Councils had a freer hand in managing their own schools at a cheap rate, could they multiply schools faster than they can under the present rules?—I do not think they will require any more power; they have as much as they desire. They can manage their own primary schools almost entirely in the Central Provinces.

27772. We understand that a part of the management is in the hands of the Education Department, that the District Boards cannot establish a school or close a school without the sanction of the Deputy Commissioner, who consults the educational inspector?—I believe there is a rule in the Education Manual to that effect; it is a very trivial matter. I know that when I was Deputy Commissioner of Chanda, the District Council wanted new schools, and they simply organised them, and no one interfered with the area in which they wanted to open them.

27773. In some provinces the schools are founded and managed by villages, and the District Council only gives them a certain monthly aid. If that system was adopted, could a large number of schools be established within a moderate sum?—No, not in the Central Provinces.

27774. You have referred to two or three districts of very large areas; is not Chanda a district with a very sparse population?—It is about half a million, spread over 10,000 square miles.

27775. Is it mostly jungle?—About 5,000 square miles is jungle—about half the district.

27776. Raipur has been recently divided?—It has been slightly reduced; it is pretty large now; I think it is 8,000 square miles.

27777. With a population of less than a million?—I cannot say.

27778. What is the population of Bilaspur?—About 700,000.

27779. Would that not be considered a very moderate population for a district in Madras?—I have never served in any other province, but I understand that they have no Commissioners, and the Collector is very similar to the Commissioner here.

27780. (*Mr. Hichens.*) What is the basis on which the provincial grants are given to the District Councils to-day?—It is different from doles in this way; it is fixed for three years.

27781. It is a dole for three years?—You can call it that; it will be renewed, and probably increased, at the end of the three years.

27782. What basis is it fixed upon?—It is based upon the requirements of the district, on their spending capacity, on their areas and their population, and on their readiness to accept education; in fact these recent grants were considered for months before they were finally sanctioned; as many considerations as you could think of were taken into account in order to make the grants as fair as possible.

27783. Do not the Government of India give a certain grant to the provincial Government to be distributed?—That is now included in the provincial settlement under the last contract; it has been amalgamated, so that it does not appear.

27784. Therefore the conditions applying to that grant are no longer in force?—They are really; we are under moral obligation to spend so much; as a matter of fact we send a report every year to the Government of India telling them how much we spend on primary education, and it is not less than the amount it was in 1903, plus this two lakhs grant.

27785. Have you ever worked out what the proportion of the provincial grant is to the amount collected locally by the District Councils?—In some District Councils it is more than half—Chanda, for instance: it varies from about 30 to 50 per cent. as far as I remember.

27786. Would it be a sound principle to give a fixed grant to the different District Councils, as opposed to an indefinite dole—to adopt the principle, for example, of giving them a percentage of their own collections?—I do not think that would be at all fair, because the poor, thinly-populated districts which have the greatest need of education and roads would come off very badly. What you do at present is to consider the requirements of each district, and having found out what you have to dispose of, you fix it for three years; it does not vary in any uniform proportion in the total calculations.

27787. You do not think that that would be a sound system here at all?—No, I do not think it would be suitable.

27788. Do municipalities get any grants?—No, they only get grants accidentally, varying from year to year; they get very few fixed grants. Lately we have been giving them fairly liberal grants on account of plague measures; that is considered a good excuse for giving them money; otherwise they are supposed to carry on their business entirely on their own financing.

27789. What is your view with regard to the appointment of a Divisional Engineer in each division?—I certainly think it is desirable.

27790. If that were done, would you increase the powers of the District Boards in regard to those matters?—Yes, their powers have been increased just recently; they used not to be allowed to construct roads; now they are allowed to construct roads of Class III. or Class IIB.; there is no reason why in a short time they should not be allowed to construct roads of Class IIA. also.

27791. Would you increase the Government contribution?—If any new roads were handed over to them under the present system, we should increase the grant. There are certain roads considered to be district roads; at present they are maintained by the Public Works Department at a cost of about 2 lakhs a year. If any of these district roads were to be handed over to the District Council, it has been ordered, or promised, that the grant shall be increased by the amount that is necessary for the maintenance of the particular road.

27792. You have nothing to do with the audit of the District Board accounts?—No, nothing directly.

27793. Is that done under the agency of the Accountant-General?—The Comptroller, yes.

27794. Does he send in reports to you?—Yes, he sends them in to me as Secretary in the Local and Municipal Department.

27795. There is no system of Local Auditors such as they have in other provinces?—No; the Deputy Commissioner inspects the offices twice a year.

27796. Suppose you had a system of that sort, would it be possible to give them wider powers and more freedom?—I am not sure that we could not give them wider powers without that; in any case we might give them wider powers, and we are sure to do so gradually.

27797. The inspection principle, roughly, is that you give a body very wide powers and trust to the system of inspection to see whether the powers are properly carried out?—Just so.

27798. Would it be desirable to adopt the English system of Local Government Inspectors?—I think not; it would be better to rely on the Deputy Commissioner for the inspection, because he is the controlling authority. The proposal is to have inspection quite apart from the controlling authority; we have inspectors now, namely the Deputy Commissioners.

27799. (*Mr. Meyer.*) You have Inspectors of Local Fund Accounts who go around and audit locally?—Yes, the auditors.

27800. We have had complaints that the municipalities and local bodies here are bound by the complete application to them of all the restrictions laid down in the Civil Service Regulations and the Civil Account Code; who is responsible for that?—It is in the Act with regard to the servants of these bodies, if their appointments are governed by the Civil Service Regulations. I do not think it is true at all to say they are bound down by the application to them of these rules and regulations. There are separate rules for the municipalities and Local Boards; they are bound by those, and the rules are constantly altered; they have been altered of recent years very much.

27801. The Codes are entirely provincial matters?—Yes.

27802. Therefore if you find that the audit conditions press too hard they can be altered?—Yes.

27803. There is no question of the Government of India at all?—No; the powers have been increased very much of recent years.

27804. Did not the Government of India intend the District Council to receive one quarter roughly of the amount it got in the shape of Land Cess?—I do not know.

27805. Did the Government of India not decide that each District Council should receive a subvention from Government amounting roughly to a quarter of what they got in the shape of Land Cess?—Yes, and our contributions to the District Councils are based on that to a certain extent.

27806. Do you apply that in this province, or do you adopt the system of giving whatever you please?—When the division was last worked out, a quarter of the amount we received as Land Cess was taken as the minimum.

27807. That is to say each District Council does not receive less than that?—Exactly.

27808. And some receive a great deal more?—That is my impression.

27809. We were told that in Berar the Boards got one-third of the cost of their schools contributed by Government, and they do not apparently get that in the Central Provinces?—They get contributions in Berar on the same system practically as in the Central Provinces; they get smaller grants because their balances are very large at present.

27810. You do not take a third and say "We will bear that"?—No.

27811. As regards these grants that the Government of India make from time to time towards education and police and so forth, do the Government of India ask of you detailed statements as to the way in which you dispose of the grant?—I only know of their having asked for a statement of that kind with regard to primary education.

27812. All they ask is that you should compare th lump expenditure now with the lump expenditure before the grant was made?—That is all.

27813. There has been no extra accounts labour thrown on you in connection with these grants?—No.

27814. You speak of the Local Government borrowing for remunerative works. Do you mean by "remunerative works" works which will pay all their working expenses and interest on initial capital and leave something over?—I should say works which will pay about 3 per cent. interest after clearing off working expenses; I think that is a reasonable definition.

27815. Do you think the Government of India could borrow at 3 per cent.?—No, I do not think so.

27816. Would the works be "remunerative" then?—I meant after paying the interest on the amount borrowed.

27817. Suppose you could borrow at 4 per cent., do you mean by a remunerative work a work which would pay the working expenses plus not less than 4 per cent. on the capital?—I do not know that I would put down any limit on "remunerative."

27818. You talk of raising a crore of rupees in the Nagpur Division; do you really think you could raise all that money here?—I should say 50 or 100 lakhs perhaps; I think it would be easy to borrow something like that.

27819. In Nagpur?—In Nagpur or in the province; I think it would be quite possible to borrow 50 lakhs in the Nagpur division and more in Berar.

27820. Does the province contribute anything worth mentioning to the Government of India loan?—I do not know.

27821. Would you be surprised to hear that it does not?—I should not at all.

27822. I suppose you also know that estates under the Court of Wards cannot find people to lend them money in the open market?—I borrowed Rs. 60,000 for an estate under the Court of Wards when I was in Nagpur from the Alliance Bank at Simla; they gave it to us at 6 per cent.

27823. That is not in this province?—No.

27824. You seriously think you could raise large sums of money locally which people do not lend now either to the Imperial Gvernment or to estates?—When there was a proposal to start a railway from here to Samair by a local syndicate, I always understood that the money was available; there is no doubt that the money was there; a few rich bankers could provide the money themselves.

27825. We were told that your Government thinks it does not get enough money for protective irrigation works; is that your idea, too?—At present we have as much as we can spend.

27826. You have been promised, as far as circumstances will admit, an allotment of 15 lakhs a year?—Yes.

27827. That is out of the total of 75 lakhs available for all India; is that not a pretty liberal allotment?—Yes.

27828. If there is a work that you want to push on, is there anything to prevent your Government undertaking it as an ordinary Public Work out of current revenue?—I am not acquainted with the details of the works which require sanction from the Government of India, but I understand that there is a classification between major and minor works, and that reference to the Government of India is necessary before irrigation tanks can be undertaken.

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27829. If you were impressed by the desirability of getting on with a work which the Government of India could not find room for in their protective programme, and you had money to spare yourselves, might you not offer to carry it out as an ordinary work?—I do not know that has ever been thought of; on one or two occasions we have had sanction to tank projects refused by the Government of India, where we considered that they were very necessary; for instance, one tank in the Chanda district and another in the Bhandara district.

27830. There you were asking the Government of India to find the funds; I am speaking of cases where you should find the funds yourself?—It was never suggested to us that we would find the funds.

27831. You are pretty strict in regard to re-appropriations by District Councils and municipalities; we have been told that they may not make a reappropriation within their budget from one major head to another major head, and even within a single major head, without going to the Commissioner; is that so?—Yes.

27832. Is that necessary?—No.

27833. How far would you go in relaxation?—I forget what the present rule is; I think it might be relaxed.

27834. You are not prepared to say to what extent?—You might get rid of re-appropriations within the major heads, at any rate?—Certainly.

27835. (*Sir Steyning Edgerley.*) We have been told that as to matters such as re-appropriations and many similar matters, the provisions in the Municipal Manual in Berar are absurd; that I think is what was said by the Commissioner of Berar, and apparently all the responsible witnesses agree that very much more freedom could be given to Local Boards and municipalities. Is there any amendment of these local manuals on hand?—When a point like that occurs, it is considered for amendment, and it is brought out in the account rules.

27836. When were these manuals last revised as a whole?—The manuals are constantly being revised.

27837. As a whole?—No, we have got manuals such as the Forest Manual.

27838. I am talking of Local Board Manuals?—We have two; we do not take up periodical revisions as a whole; when any amendment is necessary it is added by means of an amendment slip.

27839. Is local self-government making any progress in the Central Provinces?—Yes, it is undoubtedly making gradual progress.

27840. Is it more advanced than when you first became acquainted with the province?—Yes, I think it is.

27841. Would it not be a good thing to undertake a general revision of these manuals?—It is almost impossible to foresee in what direction revision is necessary until a case arises which suggests some revision.

27842. You have taken over a certain number of roads of the Local Boards, roads which are called class I. and class II. roads, and in Nagpur at any rate apparently the Local Board still pay a lump sum contribution of some Rs. 20,000 towards their maintenance?—That will be abolished from the 1st April next.

27843. They will then become wholly provincial?—They are still regarded as district roads.

27844. But the responsibility will be wholly provincial?—If any road is transferred to a District Council.

27845. I am only asking about these roads in the Nagpur district, for which Rs. 20,000 is at present paid; you say that that is going to be abolished from the 1st April?—Yes, but the fact that it is going to cease has been taken into account in fixing the revised contribution; the money that we spent on these roads was really spent on behalf of the District Councils.

27846. So that it is simply a matter of the transfer of items in the accounts?—Yes.

27847. The District Councils will not benefit by the revision?—No, because when the contributions were revised they benefited then.

27848. There has been a Bill sent up which will give them certain limited powers of taxation; has it been considered whether those are all the powers of taxation which could be safely entrusted to them?—I do not know that that was considered.

27849. It has been suggested to us that one of the chief methods of promoting an interest amongst an electorate is to give these bodies powers of taxation; do you agree with that view?—Yes, generally.

27850. Are there any other matters in regard to which they might have powers of imposing taxation?—I cannot think of any at present.

27851. It has been suggested to us that it would be quite sufficient control that the municipalities and local bodies should send up their budget and their monthly accounts and annual reports for information, instead of for sanction; has the time come when they might go so far as that?—I do not think it would do any harm.

(*The witness withdrew.*)

Adjourned.

APPENDICES.

I.—Note on the Organization of Government in the Central Provinces and Berar, filed by Mr. Slocock, Chief Secretary.

II.—Note on the subject of Decentralization by the Chief Commissioner, Central Provinces.

APPENDIX I.

A Brief Note on the Organization of Government in the Central Provinces and Berar.

The Central Provinces, which were constituted in 1861, were enlarged in 1903 by the addition of Berar. Berar forms part of the territories of the Nizam of Hyderabad, and the laws of British India are applied to it through the exercise of the jurisdiction vested in the Governor-General in Council under the terms of the Indian (Foreign Jurisdiction) Order in Council, dated the 11th June, 1902, but, although the amalgamation of the two territories is not complete in all respects, Berar may, for administrative purposes, be simply regarded as one division of the Central Provinces.

The Administration of the Central Provinces and Berar is conducted by a Chief Commissioner on behalf of the Governor-General of India in Council. His provincial staff consists of—

(1) Members of the Central Provinces and Berar Commissions, filling the cadre posts shown below, which are now recruited solely from the Indian Civil Service, but contain a certain proportion of Military Officers and of Uncovenanted Officers both European and Native, recruited in former days.
(2) Members of the Provincial Civil Service.
(3) Members of the Subordinate Civil Service.
(4) Officers specially recruited for the service of special departments — Police, Engineering, Education, Medicine, Forestry, Agriculture, Excise, Factories and Veterinary Science.

Under Act XXXII. of 1867 the Governor-General of India in Council has delegated to the Chief Commissioner the powers of a Local Government under Act V. of 1861 (Police Act), including the power of appointing an Inspector-General of Police. The Chief Commissioner has also been authorised by the Government of India to make appointments and promotions in the Commission, which is now entirely recruited from the Indian Civil Service, up to and including Deputy Commissioners of the 1st class; appointments and promotions in the Education and Settlement Departments, excluding the posts of Director of Public Instruction and Commissioner of Settlements; appointments to the post of Director of Agriculture and Commissioner of Excise; and appointments and promotions in the Provincial Civil Service. The appointment of a Commissioner of a division must receive the previous approval of the Government of India.

Most of the superior posts, both judicial and executive, are reserved to members of the Indian Civil Service and to the members of the Berar Commission, who were recruited by a different system before the amalgamation of the two provinces. Three posts in the cadre of the Commission are reserved for selected officers of the Provincial Civil Service, viz., one Deputy Commissionership and two Divisional Judgeships, and at the present time one post of Additional Judicial Commissioner, one headship of a district, and two Divisional and Sessions Judgeships are held by Statutory Civilians or members of the Provincial Civil Service.

The Provincial Civil Service is composed of "Natives of India" selected according to rules approved by the Government of India and by the Secretary of State. It is divided into two branches, viz., Executive and Judicial.

The Subordinate Civil Service is recruited from natives of the Central Provinces, qualified according to a prescribed educational standard. It also is divided into two branches — Executive and Judicial.

For the purposes of general administration, the unit in the executive scheme is the Deputy Commissioner. The province is divided into 22 districts, with a Deputy Commissioner at the head of each. The Deputy Commissioner as District Magistrate is the chief of the police and magistracy in his district; he is the chief collector of revenue; he is also registrar; he is in addition responsible for the administration of the forests of his district, besides having supervisory duties in connection with popular education and local bodies. He is assisted by one or more Assistant Commissioners or Extra-Assistant Commissioners, members of the Indian and Provincial Civil Service, respectively, who are generally vested with the powers of a Sub-Divisional Officer, though the Sub-Divisional system has not been adopted in its entirety in this province. Each district is divided into from two to six *tahsils*, the *tahsil* generally being co-extensive with sub-divisions. The *tahsil* is under a tahsildar, who exercises both magisterial and revenue powers, and is generally assisted by a naib-tahsildar exercising revenue powers only. In Police matters the Deputy Commissioner is assisted by a District Superintendent of Police. For the charge of forests he has the aid of a Forest Divisional Officer. In medical matters he can command the services of a Civil Surgeon, who also, as a rule, holds executive charge of the district jail. In the control of education he is assisted by a deputy inspector of schools; in the supervision and collection of excise, stamps and miscellaneous revenue, by an Excise Inspector, or, in a few districts, by an Excise Extra-Assistant Commissioner, and in the inspection of the village papers and agricultural returns by a District Superintendent of Land Records. In engineering matters he is entitled to call on the local Public Works Department officer who is generally an Assistant Engineer, but such Public Works Department officer is not in any sense an Assistant of the Deputy Commissioner.

The districts of the province are grouped into five divisions, three of which, viz., the Nagpur, Nerbudda and Jubbulpore Divisions, contain five districts each, while the Berar Division comprises four districts and the Chhattisgarh Division three. Each division is under a Divisional Commissioner selected from among the members of the Commission, who is responsible for the general administration of his division, and through whom all correspondence between the districts in his division and the Secretaries of the Chief Commissioner is transmitted.

The work of the following branches of administration of the province is vested in special officers:—

Department.	Provincial Head of the Department.	Departmental Executive Officer (District or Divisional.
Public Works	Chief Engineer...	Executive Engineer of the Public Works Division.
Forests	Chief Conservator of Forests ...	Forest Divisional Officer.
Police	Inspector-General of Police	District Superintendent of Police.
Prisons	Inspector-General of Prisons ...	Superintendent of Jail.
Education	Director of Public Instruction ...	Inspector of Schools.
Excise and Miscellaneous Revenue, Customs, Stamps and Registration.	Commissioner of Excise and Miscellaneous Revenue, Chief Customs Authority and Superintendent of Stamps and Inspector-General of Registration.	Deputy Commissioner.
Settlements and Land Records ...	Commissioner of Settlements and Director of Land Records.	Settlement Officer, or Deputy Commissioner.
Agriculture	Director of Agriculture	
Medical Relief, Sanitation, and Vaccination.	Inspector-General of Civil Hospitals and Sanitary Commissioner.	Civil Surgeon.
Factories	Inspector of Factories, Central Provinces and Berar, and Inspector of Boilers, Central Provinces.	
Veterinary	Superintendent, Civil Veterinary Department.	Veterinary Inspector.

(i.) The strength of the Public Works Department at present consists of one Chief Engineer, three Superintending Engineers, one of whom is in charge of the Irrigation Circle, 14 Executive Engineers, 25 Assistant Engineers, 17 Temporary Engineers, 2 Engineer Officers under Covenant, and 3 Sub-Engineers, besides supervisors, overseers and subordinates. The Chief Engineer also acts as Secretary to the Chief Commissioner in the Public Works Department, while the Superintending Engineer in charge of the Irrigation Circle acts as Deputy Secretary, and one of the Executive Engineers as Under-Secretary. The executive unit is the Public Works division, which may or may not correspond with the revenue district, but usually has its headquarters at a headquarters civil station. The accounts of the department are supervised by 1 Examiner, 1 Deputy Examiner, and 2 Assistant Examiners.

(ii.) The Forest Department is under a Chief Conservator. For the purpose of forest administration the province is divided into three circles, each under a Conservator, and into 23 divisions, which latter as a rule correspond with the revenue districts. The divisions are held partly by Deputy Conservators and Assistant Conservators belonging to the Imperial Service, and partly by Extra-Deputy Conservators and Extra-Assistant Conservators belonging to the Provincial Forest Service. There are at present 14 Deputy and 7 Assistant Conservators belonging to the Imperial Service, while there are 2 Extra-Deputy Conservators and 14 Extra-Assistant Conservators belonging to the Provincial Forest Service. Divisional Forest Officers form a part of the office of the Deputy Commissioner in whose district their charges fall.

(iii.) The superior cadre of the Police Department consists of one Inspector-General of Police, two Deputy Inspectors-General and 28 District Superintendents of Police. Six of the District Superintendentships are held as follows:—By Assistant to Inspector-General; by Assistant to Deputy Inspector-General, Criminal Investigation Department; by Superintendent, Railway Police; by Principal, Police Training School; by Superintendent of Police, Secunderabad and Hyderabad Residency Bazaars; and by Superintendent, Railway Police, His Highness the Nizam's Dominions. The rest are held by District Superintendents of Police, in charge of the police of each of the civil districts, who work as the assistants of the District Magistrate in police matters. There are also 14 Assistants to District Superintendents of Police and 4—to be increased later on to 17—Deputy Superintendents of Police, these last being recruited from natives of India and forming a Provincial Police Service; officers of both these classes act as Assistants to the District Superintendent of Police. There are also 31 European reserve inspectors, who are stationed at headquarters stations, and 52 circle inspectors. Each district is divided into a number of station-houses, each of which is in charge of a sub-inspector.

(iv.) The Jail Department is under an Inspector-General of Prisons who has under him three officers specially in charge of the central jails at Nagpur, Jubbulpore and Raipur, besides the Civil Surgeons of all Stations, who are also Superintendents of the district jails. The two central jails at Amraoti and Akola are also in charge of the Civil Surgeons of those districts.

(v.) The Head of the Educational Department is the Director of Public Instruction. The province is divided for educational purpose into five circles co-extensive with the revenue divisions, each under an inspector, who, except in one case, is a member of the Indian Educational Service. European Schools are under an inspector shared with Bombay, while Girls' Schools are supervised by an inspectress belonging to the Indian Educational Service. Inspectors are not, except to a limited extent, administrative, but are purely inspecting and advisory officers. The administrative and executive officer of each district in educational matters is the Deputy Commissioner. The posts of principal, Jubbulpore Government College; principal, Morris College, Nagpur; professor of English in the same College, and professor of chemistry and physics, Victoria Technical Institute, Nagpur, are also held by members of the Indian Educational Service. Schools are grouped into 41 ranges, each in charge of a deputy inspector of schools who is a subordinate of the Deputy Commissioner and is included in the Deputy Commissioner's office. In addition to these, there is a deputy inspector who has charge of the schools in the Feudatory States with the designation of inspector. The control of expenditure on primary and middle schools rests with local bodies. High schools and colleges are a provincial charge.

(vi.) The Excise Department is under a Commissioner of Excise and Miscellaneous Revenue, who is a selected Deputy Commissioner and also acts as Chief Customs Authority, Superintendent of Stamps, and Inspector-General of Registration. He is assisted by a Personal Assistant. The departmental executive officer is the Deputy Commissioner, who is assisted either by one of his ordinary revenue staff appointed by him for the purpose or by a special Excise Extra-Assistant Commissioner. These latter are members of the Provincial Civil Service, and are at present 10 in number. Each district has also one or more excise inspectors.

(vii.) The Settlement and Land Records Departments are under the Commissioner of Settlements and Director of Land Records, who is a selected Deputy Commissioner. He has under him at present 5 Settlement Officers who are assisted by 13 Assistant Settlement Officers, selected members of the Provincial and Subordinate Services, while there are 19 sanctioned posts of District Superintendent of Land Records. The Deputy Commissioner is responsible for the supervision of the land records work in his district, except when it is under settlement.

(viii.) The Agricultural Department, which has only recently been separated from the Settlement and Land Records Departments, is under the Director of Agriculture, who is a selected Deputy Commissioner, and who has two Deputy Directors and an Assistant Director to assist him. The department also comprises an agricultural chemist and a principal for the Agricultural College, Nagpur. The Director has charge of the Agricultural College, Nagpur. of the botanical and other public gardens, of Government Agricultural Stations, and of the Veterinary Department. He is also the Registrar of Co-operative Credit Societies, and is assisted in this branch of his work by an assistant, who is a selected member of the Provincial or Subordinate Civil Service.

(ix.) The medical staff is under an Inspector-General of Civil Hospitals and Sanitary Commissioner, who is appointed by the Government of India from the Indian Medical Service, and includes 19 Commissioned Officers of the Indian Medical Service, and one uncovenanted officer. There are also two Military Assistant Surgeons and 8 Warrant Officers, some of whom hold Civil Surgeonships: besides these there are 16 Civil Assistant Surgeons.

(x.) There are two Inspectors of Factories, who are also Inspectors of Steam Boilers for the Central Provinces and Berar.

(xi.) The Civil Veterinary Department consists of a Superintendent and six inspectors. Four of these latter have charges whose area is co-extensive with each of the civil divisions of the Central Provinces, whilst the two others are in charge of East Berar and West Berar respectively. The veterinary dispensaries are in charge of veterinary assistants and are paid form Local Funds, except those at Nagpur and Pachmarhi, which are maintained by Government.

(xii.) The Postal and Telegraph Services are controlled by officers of the Imperial Service. In the Department of Finance, the Chief Commissioner has the guidance of a Comptroller appointed by the Government of India.

The channel through which communications are conducted between all these various branches of the Administration and the Chief Commissioner is the Civil Secretariat, except in the case of the Public Works Department for which there is a separate Secretariat. The superior officers of the Secretariat are the Chief Secretary, the Second Secretary and the Third Secretary, the first two

of whom are each assisted by an Under-Secretary, and the third by an Assistant Secretary. The Chief and Second Secretaries and their Under-Secretaries are members of the Central Provinces Commission, while the Third Secretary has hitherto been a member of the Berar Commission. The appointment of Assistant Secretary is a special one. The work of the Secretariat is controlled by these Secretaries and their Assistants, and is divided into sixteen departments.

APPENDIX II.

Note on Decentralization by the Chief Commissioner, Central Provinces.

After the first outburst of activity on the formation of the Central Provinces, mainly due to the energy and enthusiasm of Sir Richard Temple, the Administration settled down to somewhat humdrum lines. They were a poor Non-Regulated Province which seemed remote and unimportant in the eyes of the Indian world generally, and did not receive much attention from the Government of India. For 25 years they were free from anything approaching famine, and the principal distinctively local matters which came before the notice of the general public were the Land Revenue and Tenancy Acts passed in 1881 and 1883. The period from 1870 to about 1887 was one of quiet, almost parochial progress.

From the time that tenancy legislation and the new land settlements began to be made, the province began to loom more largely in the controversies which usually range round that subject. The Central Provinces Local Self-Government Act, being only a small local manifestation of the larger policy of delegation of local powers to local authorities inaugurated under Lord Ripon, excited little attention; and the change from Local Fund Committees to District Councils and Local Boards provoked no revolution in local management.

2. From 1868 to 1883 the Provinces were administered by Sir John Morris, under whom, if they had little history, they continued to prosper and progress. His times are still gratefully remembered by the people. He was succeeded by Mr. W. B. Jones, an officer of great activity and industry, but bad health compelled him to retire after one year. From that time onwards the province has been entrusted to the charge of a series of administrators sent out from the Government of India, whose abilities are testified to by the names they have made in their subsequent careers. Among this roll of names the only officer of almost purely local service was Mr. (now Sir Andrew) Fraser. That these successive Chief Commissioners have had a wonderful effect in stimulating and improving the administration of the province there cannot be the smallest doubt. They brought to the task varied experience of other parts of India, and applied themselves to the problems of administration with a wider general knowledge and with a greater power of initiative than could have been found among the members of the local Commission, though the latter contained in its ranks many excellent administrators, both military and civil, among whom especially the claims of Mr. John Neill to the Chief Commissionership were regarded at the time as overlooked by the Government of India.

The one defect in the arrangement was that the Chief Commissionership of the Central Provinces became a stepping-stone to higher office, and most of these administrators were transferred to Council or to Lieutenant-Governorships before they had an opportunity of maturing the schemes which they had initiated. With the advent of each new Chief Commissioner there was a necessary period of quiet while the Head of the Administration was engaged in acquiring local knowledge and in learning the previous history of the various branches of Government. Before he was well under way with reforms and improvements he was moved up higher, and the same process began again. In the case of Sir Andrew Fraser, he had already, on appointment, a minute knowledge of the province, but the whole of his energies were taxed with the great famine of 1899-1900 and the measures for recovering from it.

3. While, however, the province suffered from some want of continuity in policy during the period subsequent to Mr. Jones' retirement, it enjoyed the advantage of new blood and new ideas infused by men of wide experience and ability, and their very withdrawal to Council was of direct service to the provinces, for it ensured that the Viceroy's Executive Council always possessed one, sometimes two, members who had acquired experience of the Central Provinces, and understood many of its local problems, a factor which is always a most valuable asset to any Local Government or Administration.

4. Under the rule of these several administrators from outside (with which period my own service of twenty-three years happens to synchronise), the province has advanced from step to step in agriculture, trade and communications, and with its cotton industry, and its recently developing mineral enterprise, together with the accession of territory and importance that it has received in the addition of Berar, it has acquired a more important position among the provinces of India than it ever aspired to reach in the olden days.

With the Revenue Administration of the province and the early development of its Settlement, Land Records and Agriculture Departments, the name of Mr. (now Sir Bampfylde) Fuller must ever be associated. It was by his efforts, under the guidance of Chief Commissioners, like Sir Charles Crosthwaite, Sir Dennis Fitzpatrick, Sir Alexander Mackenzie, Sir Anthony MacDonnell and Sir John Woodburn, that the present Land Revenue assessment system was founded, the Land Records Department established, and the seed sown for the improvement of agriculture.

Although some doubt may be felt as to the wisdom of the actual demand made upon the landlord, now that a crushing series of crop failures have rendered abatement and reduction necessary, the skill and accuracy with which his system deduces land valuation from the facts of each village has admirably stood the test of time.

5. From the older Military Officers we, in this province, learned that system of personal government which is so much understood and appreciated of the people; by Sir B. Fuller the officers trained under him were taught to apply the information gained in the field and village to the problems of administration. The famines of 1896-97 and 1899-1900, sad and disastrous as they were, had the great compensating advantage of bringing the people and their officers into the most sympathetic relations, the memory of which will linger for many a day. These same famines and their relief also brought the province into greater prominence with the outside world and the Government of India, and induced further sympathetic and generous financial treatment to which they had long been strangers. During the administrations of all but the last two Chief Commissioners, the province was very largely dependent upon the charity of the Government of India.

After a large series of prosperous seasons in the eighties Sir A. Mackenzie had amassed together a substantial provincial balance, only to find it taken away by an embarrassed Financial Member in the stringency which accompanied the fall of exchange. Later on I can well remember as Secretary how in 1896, when our adversities had begun, we had to beg for the return of a small sum of 4¼ lakhs which had been taken from us outside our contract a short time previously. Throughout the whole period from the eighties, and up to 1902-03, the province was always desperately hard up for ways and means, and its progress was undoubtedly checked. From that time onwards, however, with the improvement of the imperial finances, we have been most generously treated, and our present contract gives no

ground for complaint. If it were not that we have so much leeway to make up in such matters as communications and buildings, we might be able to proceed further with schemes for improvement of education, extension of medical relief, and irrigation than we can at present expect: but a good deal of our progress in all directions must be rendered slow from want of men, from dearth of materials and labourers, as much as from want of funds.

6. My own earliest opportunities of forming any opinion upon the relations of the Administration with the Government of India only began in 1895, when I was appointed Revenue Secretary to the Administration; but tracing the history back from what one has learnt of it in the files, and bringing it forward from that time to this from such opportunities as I have since enjoyed, I should describe the province as gradually emerging from the position of a Cinderella among provinces into a position of a kindly-treated younger daughter; not, indeed, so important as her elder sisters, but still much more valued and recognized than in the quondam position of the step-daughter. I can remember the time when we had to justify in detail the necessity for suspension of revenue in the face of calamities and when our revenue assessments were criticised in great detail. We now enjoy nearly all the financial powers of a Local Government though not the same patronage. Also I think formerly that proposals for reforms costing any appreciable sum were apt to be set aside on the ground that much less elaborate establishment or procedure were quite sufficient for the Central Provinces and that there was no money to spare for a poor province, which must increase its own resources before it went in for luxuries. I have never had the advantage of service in any other province, or of being behind the scenes in the Government of India, and I cannot therefore say how far this view is correct, but it was very generally held, and that by many of the Chief Commissioners who had enjoyed these advantages.

7. But whatever may be the exact facts in the past, all this is now changed. I feel that our schemes for reforms will always be sure of sympathetic consideration, and will not be rejected as a matter of routine because we are a lesser province, and do not require the luxury of expensive improvements. Such causes as we have for complaint are now few, and the note put forward by the Chief Secretary will indicate a few major points in which we might still be conceded more liberty. There are of course many minor points in which reference has to be made to India on matters of irritatingly small importance because of the rigidity of principles upon such matters as conveyance allowances, officiating and charge allowances or gratuities, or because the expenditure is nominally Imperial and the Government of India are very suspicious that Local Governments will be led into making good-natured concessions, almost amounting to jobs, to officers who put in claims for cost of railing horses, or claims to transit pay. But in these financial matters it is the practice of all Governments—and I imagine that the Treasury at home is no exception—that exceptions to rule which work hardly in individual cases must be sanctioned by those who will be deciding on purely impersonal grounds. In particular one must recognize that such matters as grants of land made outside ordinary rules, or special pensions, must be left to the decision of those who can view them impersonally. Otherwise "special cases" must have a tendency to multiply, and local views as to what constitutes "a special case" to become enlarged.

8. There is one important direction in which the greater subordination of the Central Provinces to the Government of India has produced unsatisfactory results. The subject is a delicate one, but requires to be mentioned. The appointments of Chief Engineer, Inspector-General of Civil Hospitals, Inspector-General of Prisons, Director of Public Instruction and Conservators of Forests rest, and have to rest, with the Government of India, because it will only occasionally be the case that there are officers serving in the provinces sufficiently senior or sufficiently fit to hold these higher appointments. I think that there has been sometimes a tendency to hold that men who are not considered fit for such posts in the larger provinces are good enough for the Central Provinces, and we have been sometimes provided with men who are about to take long leave or have only a year or two to their retirement, or are anxious for a transfer to a better paid post elsewhere. I wish to keep quite clear of any personal considerations in this matter, but I think that too little regard is paid to the interests of the province when these appointments are made. Transfers of Conservators of Forests are in particular too frequent. If these officers are officiating the Administration is consulted before they are confirmed, but an opinion is required before it can fairly be given. Allowance has always to be made for a new Head of Department owing to his strange surroundings and want of local knowledge, and no Chief Commissioner likes to condemn such an officer as unfit before he has had an extended trial.

9. There is obviously no sovereign remedy for these drawbacks, but they can be reduced if (in cases where pay is low) the pay for the Heads of Departments is put on a level with those of other provinces, and if the province is never permitted to be the dumping-ground of officers soon about to retire, who, though not quite fit for the higher administrative functions, have rendered good service to the State. It is not necessary to give higher pay to such officers on appointment, but as soon as they would be eligible for a transfer to another province, where their pay would be higher, they could be given an increment in the Central Provinces, if the Administration desired to retain their services. The expense would be very trivial as the number of these appointments is so small. I do not deny that we have had some very good men supplied to us under the present system, but we have had some unsatisfactory ones, while we have lost some good officers, because in fairness to themselves they could not be debarred from promotion. Among the particular Departments of the Government of India which appear to be too rigid in limiting the discretion of the Head of the province, I consider that the Public Works Department is the worst offender; they interfere in details to an extent which is often irritating. This is due not to a desire to interfere so much as to the over-rigid prescriptions of the Public Works Department Code. Suppose, for instance, that an official or clerk has no suitable residence; that to get one he has to pay 20 or 25 per cent. of his salary; that if private enterprise will build him one he will have to pay 15 to 20 per cent. of his pay. I build him a house and wish to charge him 10 per cent. I have to obtain the sanction of the Government of India to charge this rent, and if I want to charge him more I shall not be allowed to do so. If, on the other hand, I am to limit his rent, then the building will not pay Government the requisite return, and I shall not be allowed to continue the policy of building quarters, while the clerks and officials will continue to pay 20 or 25 per cent. of their salary as rent, or herd together in chummeries or in insanitary houses in the bazaar. Perhaps it is not generally desirable that Government should have to build houses for its officers or quarters for its clerks and officials; but local circumstances entirely alter considerations of this kind. The Local Government may sanction a work costing 10 lakhs or an establishment costing Rs. 25,000 a year, but it cannot decide whether it is expedient to charge 10 or 12 per cent. of salary on clerks' quarters in order to save them having to pay over that amount for possibly inferior accommodation. I have used this case as an illustration, but I think it is a good one, of how rigidity of rule will hamper necessary measures. Circumstances have entirely changed since the rule was framed. Rates of building materials and labour are very high. A four-roomed house which formerly cost Rs. 2,500 will now cost Rs. 5,000. Private enterprise is timid; it always lags behind a demand; and it wants 10 or 12 per cent. on its money and has no regard for the exact percentage of salary which the rent it demands represents to the occupant. But I do not want to press the subject of such sanctions; year by year these

restrictions are relaxed, and I have no doubt that the overhauling given to the question by the appointment of the Royal Commission will result in further relaxations.

10. Reverting to larger questions, I do not see how a Local Administration could carry on without the frequent support, advice, and suggestions of the Government of India. The Government of India receive suggestions from all the Governments in India, and from these they select the best for circulation, or as the foundation of far-reaching improvements and reforms. They are a necessary medium of communication between Local Governments, for if each Local Government has to apply to its neighbours for information and advice correspondence would be greatly increased. The published returns and reports of each Local Government are always of some service, and occasional interchange of references is found useful; but the existence of a central supervising authority is, I consider, absolutely essential to the Indian polity. Perhaps the older and more elaborately administered provinces might think otherwise, and their equipment with expert advisers is of course far more complete than can be the case with an Administration. But from all that I have heard and read I should think that there must be many matters in which even the older Governments are the better for outside influences. It is astonishing how apparently obvious and practicable improvements are not thought of until they are pointed out, and in how many places some admitted evil is regarded as a necessary one because everyone has become accustomed to it. Where local knowledge and experience is the principal ingredient in a decision the interference of the Government of India is undesirable; but there are numerous matters in which great principles or larger interests or heavy expenditure are involved, and in these a Local Government cannot be the sole arbiter.

My general conclusion is that, subject to a few matters in which control might be relaxed (most of which relate to, or have their origin in, financial considerations), the relations between the Government of India and the Local Administration are now (whatever may have been the case in the past) perfectly satisfactory. I am not afraid that my proposals for improvements or reforms will not receive sympathetic consideration, and I am not afraid of being compelled to introduce in the interests of uniformity measures which I know to be totally unsuited to the provinces. It is impossible to eliminate every difference of opinion between any given authority and the authority superior to it. I think that in these Provinces great progress has been made in releasing the local authority from the rigid control of the central authority, and I ask for no great radical changes in those relations.

11. The peculiar constitution of Berar, as foreign territory leased to the King Emperor, has led to numerous anomalies in respect of that province. But I think it unnecessary to go into these with the Commission. The Chief Commissioner should exercise in Berar exactly the same powers and authority as he exercises in the Central Provinces, no more and no less; but the means to that end are not so much a question of decentralization as of the removal of the legal obstacles which its anomalous position creates, entailing thereby numerous separate references to the Government of India. The laws applicable to the Central Provinces as part of British India should operate *proprio vigore* in Berar also, leaving as local laws only those concerned with its revenue system, which is peculiar to itself. Once the extension of laws already applicable to British India has been brought about, any new legislation should be carried out under the safeguards attached to legislation in British India. The question is really one for the lawyers, but put briefly what is required is a statute providing that for the purposes of the validity of laws and legislation, territory permanently leased to His Majesty shall be accounted as part of British India. We should then require a Berar Laws Act, extending or confirming the laws to be retained, and thereafter legislation would pursue its ordinary course under whatever procedure is in force in British India generally or the Central Provinces in particular.

12. The distribution of powers between the Local Administration and the officers subordinate to it is a question of no small importance. There has been on two occasions a general overhauling of powers that may be delegated to Commissioners and Deputy Commissioners, and apart from these almost every year, as rules on any subject are revised, additional powers are handed over to these officers. As having been Commissioner for over five years I can say that I did not find any cause of complaint against the Secretariat on account of undue or unnecessary interference. No Commissioner can expect that all his recommendations will always be accepted intact, and where there has been some misunderstanding it is in most cases possible for the Commissioner to obtain a reconsideration. The Commissioners meet at Pachmarhi for an annual conference on matters of importance, which they discuss among themselves and with the various Heads of Departments concerned. They have thus an opportunity of seeing all the opinions and criticisms received from other divisions and districts, and of comparing notes on many subjects, and the Chief Commissioner has an opportunity of meeting them all, and is thus able to decide on questions of policy after a free interchange of views. Besides this the Chief Commissioner, on his tours, meets District Officers and Commissioners, and they have many opportunities of expressing their views to him. With only 22 districts it does not take a Chief Commissioner very long to become acquainted with the various officers, their capacities, and their strong and weak points. When the Chief Commissioner is already a member of the Commission he knows most of them already. There is therefore no aloofness in this province between the Head of the Administration and his officers; and this is a strong point in favour of the smooth working of the machinery of government. Although there exist yet many points—most of them minor—in which further powers may be delegated, I do not believe that any Commissioner will complain that his administration of his division is unduly hampered.

13. It is in my judgment imperatively necessary that the position of the Commissioner should be maintained and strengthened, and that he should in no way be made into a post-office with a fifth wheel in the coach. Apart from the fact that all District Officers are not of equal service or calibre, and that owing to sickness, leave, and inevitable transfers, junior men will have to be in temporary charge of a district, it must frequently happen that the Commissioner knows more of a district than his newly appointed Deputy Commissioner until the latter has had time to acquire local knowledge. To maintain the authority and influence of the District Officer as the pivot of our administration is a matter of the highest importance, and this end should be furthered and not hampered by a judicious Commissioner, who will give him sympathy and support, see that he is consulted on all matters touching his district, keep him informed of what is afoot in the way of reforms or improvements in other districts and let him know the reason why any particular proposals of his are not approved or are postponed. The mutual confidence which should subsist between a Commissioner and his District Officers should preclude harassing interference. The increase of powers to District Officers should not take the form of wholesale conferral of authority on them as a class, but on the delegation to them by the Commissioner of those powers which he considers them fit to exercise. It would be idle to assume that such ideal relations always exist in every case, and in no human institution can they be ensured; but the system of administration which is in vogue in these Provinces tends to create those relations, and the tendency is in my opinion on the increase rather than on the wane.

14. There is, however, one important respect in which the influence of the District Officer is likely to be diminished, and this is in regard to the work

of the ever-increasing departments. It is inevitable that as administration becomes more complex the aid of the expert becomes more and more necessary, but it is equally certain that whenever the work of the expert is directly concerned with the co-operation of the people, or affects their interest or their feelings, it is through the District Officer that that work must be undertaken. Whether it be the extension or working of hospitals or sanitary measures, the system, apart from purely technical detail, of working the forests, the extension or improvement of education, the development of irrigation, the introduction of agricultural improvements, the application of veterinary knowledge to the welfare of the cattle, the selection and alignment of new roads, it is the Deputy Commissioner who must be kept informed at every step, and his assistance be regarded as the necessary preliminary to successful action.

In regard to police, medical, education and forests this relation is on the whole well maintained, because these departments are well established; but there is some slight tendency towards slipping back, and in new branches of administration the requisite touch is still lacking.

15. But there is one department—that of Public Works—which is a conspicuous exception to the general rule. That this is so involves no slur or imputation of any kind upon the officers of that department. They work as hard and ungrudgingly as those of other branches of the Administration. But it is a cardinal point in the creed of the Department, that they are on a par with and independent of the Commission, which is termed both in Account Codes and in departmental literature as the Civil Department. The nomenclature is incorrect. The Administration of a province consists of its Head and the officers in charge of revenue divisions and districts, and all the branches of public business involving technical knowledge and skill are departments or subsidiary branches of the Administration. These departments may be branches of the Supreme Government, as the Military Department, or Post Office and Telegraphs, Railways, Survey of India, and therefore independent of provincial Governments, but under the Government of India; or they are branches of the provincial Government and subordinate to it. The Executive Engineer should be the assistant for local purposes of the Deputy Commissioner and the Superintending Engineer the co-adjutor of the Commissioner. What happens is different. No doubt the Deputy Commissioner and Commissioner suggest and urge the necessity for certain buildings or roads, and are consulted about the plans or alignments, though even this consultation was neglected in some cases; but after that they know nothing further, the allotment of funds rests with the Chief Engineer and the Superintending Engineers, and these are granted and withdrawn without any information given to them; so that it is often impossible for the Deputy Commissioner or Commissioner to say what works are actually in progress at any given time. He sometimes finds a building completed which he did not know was begun, and that another work which he believed to be in progress has not been started, the money having been directed to some other purpose by some superior authority in the Public Works Department.

From the Head of the Department down to the lowest subordinate, it is the watch-word that the Deputy Commissioner has no authority over the Executive Engineer. The same feeling makes the department extremely sensitive of any criticism and extremely prone to uphold the cause of a peccant subordinate because the independence of the department is assailed by the criticism. That an Engineer should be considered to be independent of the administrative officers of Government, any more than a doctor or schoolmaster or a forester, does not appeal to commonsense. The administrative officer will naturally not wish to interfere with his professional conduct of his work any more than he does with the doctor's treatment of medical cases or the forester's fire-protection or cutting operations. But the order in which buildings should be made, the selection of roads, and the diversion of funds from one work to another, as well as the relations of Public Works subordinates with the people, are all matters in which the Deputy Commissioner and Commissioner should be able to make their voices heard much more effectively than at present.

16. There are instances in which the personal equation has reduced this evil, and there has been hearty co-operation; but there are many more instances in the other direction. This anomaly in the relations of this one department produces unfortunate results. The spirit of independence among the Department of Public Works begets criticism at the hands of our district and divisional authorities. They are prone to overlook the difficulties of the department, and to speak slightingly of its work, thereby producing feelings of retaliation and engendering opposition in the place of co-operation. The allocation of funds to the district and division and the distribution of these to works within those areas by the Commissioner and Superintending Engineer, and by the Executive Engineer and Deputy Commissioner, together with the recognition that the Executive Engineer is the assistant and adviser of the Deputy Commissioner, and the Superintending Engineer the co-adjutor of the Commissioner, just as the Chief Engineer is Secretary and adviser to the Chief Commissioner, would at once put a stop to the evil complained of. It should give each of these officers greater liberty than they now enjoy in respect of their own departmental superiors, and they would be working in co-operation with the District and Divisional Officers. The good sense of educated men should prevent any more friction than is now felt between Civil Surgeons and Deputy Commissioners or between the latter and their District Superintendents of Police or Forest Officers. In the event of disagreements due to want of tact on either side, there would be the same authorities to appeal to for their adjustment. The authority and influence of the Commissioner and the Heads of Departments are, as it is, generally invoked when members of different departments disagree, or their relations become strained.

17. I have seen instances of want of co-operation under the existing system in which one department of Government has by its action caused loss to Government in another department. For instance, the Forest Department are anxious to have a road pushed on to enable them to carry out a sleeper contract; but the Public Works Department insist on beginning another road or divert funds from this particular one in total ignorance of the loss done by the failure of the contract. In such cases the Deputy Commissioner and Commissioner should come to the rescue early. They do so now. But by that time it is generally too late; the mischief has been done. The Commission will do great service to the country if it secures the recognition of the principle on which I have here laid stress. Such a measure would, however, excite, as attempts to enforce it have excited before, very vigorous opposition on the part of the Public Works Department. I end this part of the subject as I began by saying that in my remarks I intend no reflection upon individuals; many of them are as willing to help as anyone could wish, but the system followed is inimical to that co-operation and co-ordination between various branches of the public service which should subsist if the best results are to be obtained. As a matter of fact I have the good fortune to have as chief advisers in the Public Works Department officers who are singularly free from departmental prejudice.

18. The next question that very naturally arises is, how, with the increasing burden of work in every direction, is a Deputy Commissioner ever to find time to meet all the demands made upon him, if he is to keep a finger upon every part of the administrative machine. The Commission will find hosts of persons ready to suggest that reports and returns should be swept away wholesale, correspondence reduced to a minimum, and to paint a picture of a District Officer going about here and there among his people and his officers and co-adjutors giving oral orders here, a brief note of instructions there, penning now and again a terse despatch much in the same way as a Military Governor might do if given a free hand in a newly conquered and backward country. Or, on the other side, they will have witnesses who favour

the conversion of the District Officer into a President of a sort of District House of Representatives elected by the people and ably managing all their own local affairs, with taxation reduced or remitted and expenditure on all local objects enormously increased.

19. Both these pictures in their several directions represent a counsel of perfection—the first because the time for it has long passed, the second because the time for it has not yet come, and is yet very far distant. Sir B. Fuller in a recent article in the *Nineteenth Century and After* described Anglo-Indian administrators as opportunists, who have to decide and do what seems best to-day without attending much to what was done before, or attempting to take a long view of what is to happen in the future. But I suppose the charge might be brought against all Governments in a greater or less degree.

Long-sighted statesmen may make a shrewd forecast about future developments, and they may shape their policy with a view to them, but the immediate steps that they take at any one time have perforce to be determined by the actual needs and hard facts of the present, and they have yet to wait until public opinion is educated up to the more distant aims before they can hope for their realization.

Here in India it is again to-day with which we are concerned. The educated classes, yearly becoming more numerous, would bitterly resent any reversion to the absolute personal rule of the District Officer, and the visions of the two sections of the Indian politicians, the one of a Dominion of India under a British Governor-General as the sole representative of the Imperial Crown, the other of a United States of India under a President separated from the British Empire, are both alike too dim to shape our present policy. The only course is to fall back upon the dull realities of the moment. Any sudden upheaval of the existing system is out of the question. Heroic measures are neither necessary nor possible. The system of Government has developed after years of patient endeavour. As regards the relations of our officers with each other we must prune excrescences which retard their well-being, and as regards the people we must continue to educate them in the duties of civic life.

20. To leave again the language of metaphor, it is impossible to abolish all reports and returns, though they are no doubt capable of further reduction. They are our only means of judging progress or decadence, and though annual fluctuations are in certain branches of administration (though not in all) entirely fallacious, triennial or quinquennial figures are in all cases indispensable. The real test is whether a competent and zealous officer well acquainted with his district, on sitting down to a report with annual figures before him, finds something that he really wishes to write or has to cudgel his brains in order to write something. The latter kind of writing is generally waste of time. There is nothing so dangerous as generalization, and nothing to which an Indian officer is more prone. The periodical report, if the intervals between its submission are lengthened, and the statements attached to it further pruned, must in my judgment continue, but we require protection as much as possible from the conscientious questioner in Parliament whose demand for statistical information sometimes gives endless trouble over a whole continent to a host of hardworked men. Such persons should be referred to the published returns of the Government of India and the provincial Governments which will contain all the information that the Government considers it necessary to demand from their officers. If it appears to the Government that the desired information is of a character on which periodical information is essential it can include the return in its future periodical statements. Every Government has already cut down its returns to a great extent, and further pruning will require careful consideration. The forms and statements of the several Accounts Departments are perhaps now the most voluminous, but no one but financial and departmental experts can be trusted with the task of overhauling them. The matter is one in respect of which I should suppose that the Commission could only undertake a general recommendation. The majority of our more complicated returns are required by the Imperial Government.

21. The division of large and overworked districts into smaller ones is another measure to be gradually adopted; it is a step which is taken from time to time, but one which involves considerable expense not so much in staff as in new buildings: akin to this is the sub-division of large *tahsils* into small ones, and the addition of assistants and sub-divisional officers. One of the principal measures to reduce the work of the District Officer has been his complete relief from all civil judicial work, and Commissioners have been relieved both of this and of criminal work. The next step will be to free Deputy Commissioners, in their capacity of District Magistrates, from original criminal cases, leaving them appellate and revisional powers. Their complete divorce from magisterial work is not a step which can be taken in these Provinces for some good time yet. Step by step the District Officer is being relieved of various original work which ties him to his Court table examining and recording statements of witnesses, and during my own period of service the relief given him in this direction has been enormous. If greater powers are delegated to him by Commissioners in the manner that I have suggested, and if his reports on minor subjects are curtailed or made triennial or even quinquennial, his writing work should be much reduced. In some of our less developed districts he is certainly not overworked the year round, though, as in almost every walk of life, there are times of pressure.

22. For several years, the public have criticised our boy Deputy Commissioners, and it was certainly necessary to put in young officers in charge of districts who were quite inexperienced. This was due to insufficient recruiting at one period in the history of the province, and to an unusually heavy list of casualties. But the whole aspect has now changed, and something of a block is being felt among the junior ranks. Officiating Deputy Commissioners will no longer be mere boys. It is sometimes suggested that the appointment of a permanent Deputy Commissioner should be regulated by strict selection and not by seniority. All District Officers cannot be expected to be of equal efficiency, zeal and judgment, and there are a few rare cases of retarded development in which officers, even if painstaking, seem to lack certain qualities of managing men which experience does not bring them. Some of these men are qualified for judicial work, where the executive talent is not an essence of success. Any that fail to qualify for either branch of the service must remain in a subordinate position, or be encouraged to retire on a reduced pension. The cases will be few.

23. On the whole then I consider that the improvement of the administration of these Provinces, so far as its own officers and departments are concerned, is more a question of detail than of principle. The general principle of decentralization has been recognized, from the top to the bottom, as a desirable aim, though in particular matters it has not gone far enough in detail; it requires to be kept steadily in view, and its application to details periodically examined. It is always advisable that when some new branch of administration is undertaken it should for a time be kept centralized, until the points of principle that arise in all such matters have come up for decision and been decided, after which powers can be freely delegated, and are delegated. A good instance of this is afforded by the recent development of mineral enterprise. If local officers, or even the Administration, had been left to work out their own system, all sorts of undesirable conditions might have been imposed, or unsuitable concessions given. Now that officers have become familiar with principles, some of these powers are being delegated, and more delegation will follow.

24. The third and last branch of the subject, which is also in many respects the most difficult, relates to the share to be given to the people in the management of their own local affairs.

There will probably be three distinct schools of thought put before the Commission. The first,

beginning at the top, will advocate an Advisory, or ever Legislative Council for the Administration; the second would provide the District Officer with an Advisory Council; while the third would go down to the origin of things and revive the village community and the village panchayat. Each system will find its advocates, and some persons will desire a combination of all three.

25. In considering all these and kindred questions connected with the Indian peoples, honest and enthusiastic men, such as the correspondents of Radical newspapers who pay a fleeting visit to the country, are quite fascinated by the eloquence and talents of some of the most highly educated of Indians. They consider that a country which can produce men like this must be fit to govern itself. What they entirely overlook is that the culture and trained faculties which attract them are not the product of an indigenous evolution by which these men have entirely emerged out of a vast company of their own race, all occupying various gradations in a similar process of evolution. They are the result of an exotic application of Western cultivation and knowledge to a few select individuals. The position which they occupy in respect of the great masses of their countrymen is just the position which highly educated and talented Englishman well versed in the history of olden times would occupy among the people around him, if he could be put back into the time of the Plantagenets. If the present House of Commons were bodily put back into the middle ages their knowledge and experience would not imply that the people generally were ready for representative institutions. The masses in each case, the real and imaginary, would alike be unpermeated by the leaven which had produced the exceptional individuals

26. Under the British Government steady endeavour has been made to stir up the mass by means of direct primary education generally, more advanced instruction in towns and by the general educational effects of an enlightened policy, but as yet the response is very small. The sanitary panchayats in the larger villages, the small municipalities and the Local Boards and District Councils have not really caught on. The problem before us is the reason for that small response. Is it that we have expected too much from them, or that we have given them too little to do? or is it that the whole spirit of local self-government and corporate action is foreign to their inclinations and sympathies, and that the whole fabric of local self-government as designed and framed by our lawgivers was and is doomed to failure? There are those who contend that the fault lies with the people, and not with the system, and there are others who say it is the system, and not the people. The adherents of the former belief bid us to wait patiently and success will come, and the latter class would have us root out the artificial system, and begin again with the village as the unit. There are again others who assert that the experiment has been a success, and that all that is wanted is to give the people enlarged powers and they will quickly rise to their responsibilities.

27. There are many persons ready to draw up a paper constitution for village panchayats, boards and advisory councils; but as usual they do not stop to think who are the persons who will occupy seats on those committees and assemblies and whether the class of man who takes no interest in existing bodies will take an interest in the new ones. I am one of those who believe that progress in everything in India must proceed at a very slow rate, that interest in affairs which do not directly or obviously affect a man's honour, his religion, his pocket, his family or his caste, is a matter of very slow growth, but I am also prepared to find, in the fact that here and there interest has been taken, that here and there good men have arisen, that here and there some sense of corporate interest has been developed, an augury of hope for the future. Twenty-five years is a very short period for developing new institutions dependent on a change in the ideas and temperament of a conservative people, and to throw away all that has been done may be to uproot the crop just as it is about to put forth ears. I would therefore hold fast to our present institutions for local self-government, and devote attention towards their weak points and towards measures tending to infuse interest in their work, not only among the persons who are members, but on those who elect these persons. As Mr. Walker, Commissioner of Nagpur, has insisted, the creation of an intelligent and interested electorate is a condition precedent to the success of the elected body.

28. The electorate at present take no interest in the election of a Local Board member, because, firstly they are not very interested in sanitation, or schools or roads; secondly, because, if they are interested in these things in their own village, they are not interested in them in other and perhaps distant villages; and, thirdly, because, if these things come about, they do not feel that their coming about has been the result of the action of the member, but because the mysterious power that they call the "Sirkar" took it into its head to do the thing. While, therefore, it would be in my opinion a serious error to do away with such institutions as we have already created, artificial though they may be now, yet we should shape our action in any direction which may promise to infuse life into what is lifeless, and encourage and stimulate such effort as may be shown. The family, the caste, the village, the town, have hitherto formed the largest centre round which interest can be aroused. With an aggregation of entities the interest does not exist. The Local Board area, the *taluk*, the *tahsil*, or the district inspires no local patriotism, or at the best a very faint one, and that only among a few advanced individuals; to the masses it does not appeal. Next, the objects for which common advice is sought must appeal to the interest of the community concerned; and that interest must be a very vivid and present one. The people all combine to save a bursting tank which is about to inundate their fields; it is with much more difficulty that they will co-operate in the construction of a new irrigation tank. They will combine and co-operate to resist unpopular plague measures, but they will not combine to enforce sanitation. They will at times combine to make a well, but it will not occur to them to combine to improve a steep *nala* crossing at which carts have for years experienced great difficulty and trouble. They will combine to resist a tax, but they will not combine to see that the common money is not wasted. They will combine readily to raise a charity, but very imperfectly to administer one. The objects to be aimed at are thus to reduce the local area which is to be the unit of local administration, and to educate the people up to an appreciation of the things which are necessary to their welfare, but which as yet they do not appreciate.

29. In a province in which the land tenures are proprietary, it is extremely difficult to obtain any sort of village panchayat in the purely agricultural villages. In the majority of them it will be the landlord first, and the tenants dominated by him; or, if the relations are bad and the tenants have quarrelled with the landlord, the two cannot work harmoniously. One might of course appoint and recognise village panches, but they could not be independent administrative units, since the funds that could be given to each village would either have to be assigned in annual driblets too small for any useful purpose, or if larger sums were given, at such long intervals of time that the panches would very rarely exercise any functions. While therefore we might recognize village panches in villages as a body to assist the village headman (*mukaddam* or *patel*) in some of his duties to the public, and in large villages have, as at present, a village sanitation committee, for the administration of rural works we require to find the smallest unit round which a local and parochial patriotism might centre, but which would yet be large enough to have assigned to it sufficient funds and sufficient work to arouse interest in its proceedings.

30. The exact method of grouping to be followed is a matter which requires most careful local enquiry and consideration, and I am certainly not

prepared with nay precise definition of the rural circle or village union. Probably the market town and the villages which resort to it most would make a convenient unit, and to the village panchayats found in the larger villages of this circle might be entrusted the duty of electing the Local Board members for that circle. If the panchayats themselves were elected by the householders of the villages there would be a sort of electoral framework introduced. But there would have also to be some nominated members of Local Boards in order to secure representation for important interests. Above the Local Boards would be the District Councils, the Boards returning their own representatives with the addition of nominated members. The small towns not yet suited to municipal Government would be administered by a Local Committee under the Local Boards; but it is on the whole better that small municipalities should be independent. There would then be the following steps in the ladder of local administration of extra municipal areas:—

(1) The village panchayat.
(2) The village union, being (*a*) representative panches for the circle returning one Local Board member, and (*b*) the Local Committee of the minor non-municipal towns.
(3) Local Board.
(4) District Council.

31. The above is merely a sketch of one possible method of hanging together a system of representation of the people in the matters of their local affairs. It is a measure which it would be foolish to introduce simultaneously and universally over a whole province. This, or any similar system, should be tried first of all experimentally in a few advanced localities, the ideal aimed at being the wedding of the ancient system of village elders on to a modern one of Boards and Councils. In order to give the village panchayats interests to bind them together it would be necessary to give them some authority, such as the decision of petty disputes, and the punishment of offenders in petty cases. Panchayats would have to be selected for this. They could not all be given powers, or be trusted to use them, but the fact that selected panchayats were given such powers would be an incentive to others.

32. The second important essential to any successful scheme of local self-government is the interest of the electorate in the public weal. For this we have to create wants and provide the means for satisfying them. Progress in these matters is indeed very slow; but there has undoubtedly been progress. The people have begun to grumble; they have begun to complain about bad smells, bad roads, or absence of drains. They have shown themselves ready to pay money for education; here and there they have begun to be keen about dispensaries. The complaints are at present confined almost entirely to the towns and to a limited number of persons in the towns, but the tendency is for them to increase. The creation of the wants to which the complaints are due has been brought about partly by extension of education, partly by the growth of material wealth, but principally by experience, the fruit of more teaching, and the appreciation of benefits of which the advantage has been perceived. Thus one may find an actual prejudice against a water-supply scheme and the distribution by means of water-standards. It quickly disappears before experience. In the beginning of things the Government had to supply advantages, *e.g.*, roads, which the people did not know they wanted, or even thought that they did not want. When they had experience of them, they gradually began to appreciate them, and later on to feel the absence of them in other places. It has been so with schools, it has begun to be so with roads, and in towns the demand for sanitary improvements is just beginning to make itself felt.

33. It is on these lines that development must be looked for, but the different parts of the country have as yet reached very different stages of progress. There are many rural villages in which the people do not wish for a school, and there are many considerable villages and minor towns in which the people prefer to be insanitary to the payment of a tax for cleansing and conservancy; while there are others in which a substantial number of the inhabitants voluntarily ask for municipal Government, even though it be accompanied, as they know it will be, by local taxation.

In my opinion the progress made has been not unsatisfactory, and during the last few years has become more rapid; it is sufficiently marked to justify us in increasing the powers and resources of these local bodies, wherever they show signs of fitness; and the Administration has taken measures to that end and will continue to do so. But it would be a gross error to confuse the improvement among the people generally with the views of the small section of highly advanced people educated in the Presidency towns, and developed artificially from outside in the manner which I have described in an earlier part of this Note. Among this class the great majority are those trained in the law. Some few of them may have connection and touch with rural India, but the great majority know much less about village economic conditions than our own British Revenue Officers, and their statements about the rural classes are generally pitched in terms of the widest generalizations based not upon any critical analysis of concrete facts, but upon general assumptions that every ryot is starving, and that all sums paid for imports whether of men rendering service to the country, or of goods consumed in the country, are a dead loss, and might just as well have been thrown into the sea. Below this class comes a lower one, of men whose education is a veneer, who have imbibed a few catch-phrases of western thought, but not a particle of its spirit, and whose real motives and conduct are a living denial of the principles they profess. Among these even there may be honest self-deceivers, but a great number are mere agitators and self-seekers, and it is not from them that the Government can find advice or support, or the masses any elevation.

Apart from these two classes (the only one which as yet takes any active interest in politics) is the commercial class. They are the backbone of India's trade, as the ryots are of India's agriculture. They do not make many speeches, but they do a great deal of silent work, and no system of local self-government or advisory councils could be framed in which they were not given a place. The commercial class covers a great number of sections, from the great merchants, bankers, and mill-owners, through the large grain-dealers, money-lenders and shop-keepers, down to the petty contractors, village *banias*, and superior artizans, but as a class they are less dependent upon the frowns or smiles of the executive than any other. They come most in contact with the Government in respect of income-tax assessments and municipal regulations. Lastly is the great agricultural class, with its three sections, the land-owner, the raiyat, and the labourer. The highest section contains a very mixed body of men, from large and enlightened proprietors (of whom in these provinces there are but few, but their number is increasing) down to persons of ryot status. At the bottom come the smaller village artizans, the labourers, and, on the outskirts of all, the lowest menial castes in the towns and villages and the wilder tribes of the forest.

34. During the last twenty-five years there has been going on a process of fusion of sharp divisions, and an interchange of pursuits and occupations, the effect of the enormous increase in communications and the levelling tendencies of British administration. The trained lawyer is taking up agriculture, commerce or industry, the commercial classes are beginning to be attracted by English education, and the land-owners are taking to trade and politics. The despised menial castes are rising by means of petty contracts into the commercial section. The labourer has begun to rise in prosperity and intelligence. Even the ryot and village artizan, though the last to move, are not quite unstirred by the processes going on around them.

Such being the mixed composition of the Indian populations, the task of evolving from them a system of praticipation in the affairs of the Government is not a simple one.

From the first class we may look for our best co-adjutors in Government service to be trained in

administration, and to do the legal and scientific work of the country, but they are not, and will not for a long time become, in any sense the representatives of the people below them.

For the second class we have in their present shape no use whatsoever. The majority of them will sober down and take their places in the various humbler walks of public or private service; and some few may eventually find better occupation in commercial pursuits. The residue who remain unchanged will serve neither Government nor their own countrymen, requiring repression whenever they show signs of mischief. They are the tares which have sprung up among the educational seed which we have sown.

35. It is on the gradual elevation of the third and fourth classes that our efforts must be concentrated with the help of those among their numbers who have raised themselves. We have to teach them first the principles and practice of local self-government before they can effectively assist us in the conduct and control of provincial and imperial administration. It is no doubt from the District Councils that formal Advisory Councils for the District Officer, for the Commissioner and for the provincial Administration, may be gradually built up. The Government of India's reference on this subject has yet to be answered, and I do not feel prepared to state definitely whether the time is ripe or not for the trial of such an experiment. While, however, the constitution of such Councils on a formal basis is a question of great difficulty, I entertain no doubt whatever of the benefits to be gained by constant and informal consultation with intelligent representatives of the various classes. Our officers are trained to do this. Every measure of any importance that is adopted is discussed beforehand, whether it be by summoning a few representative men, or by conversation with individuals, or at informal gatherings of the people in rural areas; and this practice must continue to increase if we are to keep pace with the times. I cannot say what prevails elsewhere in India, but in this province a very general confidence is reposed by the people in their District Officer once they have learned to know him. Men are not all alike; and no possible system can ever eradicate entirely faults of tact or temper but as a body our officers are not at all deficient in sympathy or unwilling to take the people into their confidence. It is our endeavour to reduce transfers of officers as far as it is possible, but requirements of leave and breakdowns of health often upset our best laid schemes.

36. There is one last matter to which I must refer in conclusion, namely, the satisfaction of the aspirations of the educated classes. Although, as I have contended, the presence of some highly educated men, and of a good many fairly educated men, does not connote any corresponding fitness among the remaining 95 per cent. of the population, yet the small sprinkling of men improved by higher education is yearly growing larger; and periodical advance in the higher avenues of employment open to them must be made. Strict selection is, of course, essential, for there are many Indians who, though they work devotedly and excellently under higher supervision, seem to fall away when they approach the top. Either they shrink from responsibility, or, having reached the summit of their ambition, lose the inspiring motive of further prospects of promotion. This future is not confined to Indians, but is more pronounced among them. At the same time the exceptions are sufficiently numerous to warrant further advance in the kind of work open to them. On the judicial side there is no rigid limit to their chances of winning the prizes; and though I am far from believing that a similar advance is desirable on the Executive side, I still think that further steps must be taken. Circumstances will soon make it necessary to propose some changes in the constitution of the Central Provinces and Berar Commissions and to amalgamate them into one, and it is then my intention to make some further recommendations for the enlargement of appointments open to the Provincial Services. We can in these matters never go as far as the advanced classes would have us go, for there is no limit at which they would cry "enough"; but we can always make some steps forward and remove what is most urgent and real in their complaints. We must always remember that intellect tends to develop in advance of moral stamina and force of character, and that if we make too liberal and rapid a concession to intellect only, we may lower the standard of impartiality and strict probity in our Administration to an extent which will endanger the government of the masses by justice, equity, and good conscience.

R. H. Craddock,
Chief Commissioner,
Central Provinces.

The 8th January, 1908.

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MINUTES OF EVIDENCE

TAKEN BEFORE THE

ROYAL COMMISSION UPON DECENTRALIZATION.

FORTY-THIRD DAY.

BENARES, *Monday, February 10th*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman*.

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. H. V. LOVETT, I.C.S., was called and examined.

27852. (*Chairman.*) You are the Commissioner of Benares?—Yes, for nearly a year. Before that I was Collector here.

The Benares division, which is my charge, consists of five districts:—

District.	Population.
Benares	882,084
Jaunpur	1,202,920
Mirzapur	1,082,430
Ghazipur	913,818
Ballia	987,768
Total	5,069,020

I send every fortnight a confidential demi-official report to the Chief Secretary to Government, in which I give my general impressions regarding the state of affairs in each district, dwelling on any specially noteworthy points. I also report to Government at once any specially important incident. To enable me to make my own reports, I receive fortnightly letters from the Collectors, who also at once report to me any special occurrence.

I supervise the revenue, police, general administration in the above districts, by sitting as an Appellate Court; by reviews and correspondence; by touring throughout my division and visiting particular places and headquarters stations; and by personal intercourse with my Collectors.

During the last three revenue years the Commissioner of Benares has annually decided an average of 1,260 appeals:—690 under the Tenancy Act; 603 under the Revenue Act; 42 under the Income Tax Act; 12 prepared by police officers from punishment orders; 101 miscellaneous cases, and 112 applications for revision by the Board of Revenue of orders not legally appealable passed under the Tenancy and Revenue Acts.

I review the annual reports of the District Boards and of each of the five municipalities in the division. Most questions referred to me under rules go on to Government. Further, I pass municipal budgets, sending copies of my orders to Government. I review and criticise District Board budgets. I review the annual Revenue Administration Reports of the various districts and report to the Board of Revenue thereon. I report to them on all Deputy Collectors and Joint-Magistrates and on each Collector of the division.

I record my marginal comments on the annual Police Administration Report of each district, and forward the reports of the districts of my division, together with my review of the divisional police administration, to the Inspector-General of Police. No order of dismissal of a sub-inspector of civil police with the concurrence of the District Magistrate can take effect before it has been confirmed by me. Special crime reports are sent to me for my information. I supervise the Court of Wards administration. I pass smaller budgets and forward others to the Board of Revenue with my criticisms and comments. I review the annual report on each estate and report to the Board thereon. I deal with all Court of Wards matters that crop up and require reference to higher authority, sending on to the Board of Revenue with expressed opinions those of which I am unable to dispose myself. I am asked to administratively sanction petty works to be carried out by the Public Works Department, and can do so up to a cost limit of Rs. 500 in the case of certain provincial works, Rs. 10,000 in the case of certain local works, Rs. 2,000 in the case of municipal contribution works and famine relief works. I also criticise draft projects connected with public buildings, and can finally sanction estimates for various minor works. I am entitled to the advice of the Divisional Engineer on any municipal matter, and can give directions to Public Works Officers of my division in the Buildings and Roads Branch. Funds are placed at my disposal for allotment among the districts of my division for the following purposes:—land improvement loans; plague charges; petty projects; temporary and emergent establishment in district offices; and contingent grant for my own office expenses. I tour through as much of my division as I can find time for in the cold-weather months. I also visit headquarters stations in the hot weather and rains and inspect the Collectorate offices. I endeavour to make myself personally acquainted with my subordinate officials and with as many leading non-officials as possible of each district of the division.

Collectors and Deputy Commissioners have sufficient powers in matters relating to revenue which concern only the Commissioner or, through him, the Board. In matters however, which concern the Commissioner of Excise and the Director of Land Records they might be allowed more discretion in minor matters than they have at present.

Commissioners, Collectors, and Sub-Divisional Officers have sufficient powers in matters of general administration. Of course in every case much depends on the personality of the officer under whom one is

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working and his methods of administration. Commissioners have sufficient powers under a Lieutenant-Governor who knows how to trust his subordinates to carry out his policy. Collectors have similarly no reason to complain of lack of power if they are treated with reasonable confidence by their Commissioners, and the same principle obtains between subordinate Magistrates and their Collectors.

In minor matters, such as the sanction of the transfer of funds from one head to another, Commissioners and Collectors might be given more power than they have. But in all essentials and important matters Commissioners and Collectors have quite as much power as they require. It is right that Court of Wards budgets should be passed and annual reports finally reviewed by the Board of Revenue, which consists of experts who can co-ordinate the principles and teaching to be gathered from all the Court of Wards affairs in the province. The present regulations, if worked with discernment, allow enough power to all concerned in essentials, although some of them are unnecessarily exacting in details.

In regard to transfers of funds from one head to another more power might be allowed to Commissioners. Their divisional allotments, too, for extra and temporary establishments might with advantage be split up into district allotments which Collectors might spend as they think best. Collectors might have more voice in expenditure on buildings and roads in their charges, and Commissioners on this kind of expenditure within their divisions. A divisional Public Works Budget framed on budgets received from Collectors would be useful. At present one's connection with the officers of the Public Works Department is of an indefinite and formless description. I do not think that anything beyond the above suggestion would be appreciated by Commissioners and Collectors.

I am not inclined to curtail the right of appeal to the Local Government now granted in respect of administrative action or to lay down that the authority passing the order should be asked to give any certificate of the admissibility of an appeal. The present system in regard to appeals to Government works well.

The influence of the provincial Government entirely depends on the character and ideas of the Lieutenant-Governor, affected, as it may be to a greater or less extent, by the policy of the Government of India. If the Lieutenant-Governor believes in a concentration of all power at headquarters, it is probable that in some respects his Government will be excessively rigid. Otherwise it will not be; and the influence of provincial Governments has *not* been, within my experience, in the direction of excessive rigidity and uniformity. The tendency has been for the United Provinces Secretariat to regard matters less from a departmental standpoint than they used to, and within recent years this Government has been far from impersonal or dominated by considerations of revenue.

The influence of the Commissioner is sufficiently strong, and adequate weight is given to his views.

The average Executive Officer is often oppressed by cases and desk work. It is for this reason that he does not come so often into personal contact with the people as it is desirable that he should. It is in no way because he does not desire to know them, nor is it because of a lack of interest in them.

The Executive Officers of these provinces have sufficient knowledge of the vernacular for the discharge of their duties, but with the dialects of the district in which he is serving an officer has often small acquaintance, the reason being that his stay in such a district is often short and that his leisure for ordinary conversation is small.

Too frequent transfers cannot be too strongly deprecated in the interest of the acquisition by Executive Officers of a thorough acquaintance with vernaculars. An officer whose sojourn in a district is short cannot possibly make friends with the people or learn their dialect thoroughly. The ideal District Officer should have time to see people not only in his house, but in the bazaars, in camp, at their meetings and some of their social functions. No institution, no public meeting, no non-political movement of importance should be beyond the pale of his interest or sympathies. In political matters, too, he should be prepared to exercise influence. In fact, nothing of importance should take place without the Collector's having publicly or privately a say in it.

I would not reduce the area of district or other charges in these provinces in any but a very few instances. But the staff of Deputy Collectors might well be increased in such a manner as to adequately cope with the heavy roll of cases and to allow the Joint Magistrate to be the Collector's right-hand man in executive matters.

Municipalities and District Boards have now, on the whole, as much power as they require and are fit to exercise. The Government of the United Provinces has lately done its best to increase the powers of District Boards and to prevent their energies being deadened and cramped by departmental control. The District Officer as their Chairman has been brought far more into touch with elementary education than he used to be. In Jaunpur and Benares the very large increase in attendance at primary schools is undoubtedly attributable to this alone.

I am certainly not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. They would do no good whatever and only be an embarassment to the officers concerned. District Officers are amply provided with Councils already in the shape of District or Municipal Boards, which with the sub-committees of the Municipal Boards take up a greater deal of time and supply as many consultative bodies as are needed. Both Commissioners and Collectors receive visitors and can always consult by letter or verbally any non-official who is likely to be able to throw light on a particular subject.

It would not be expedient to invest District Boards with powers of supervision and control over small municipalities within their respective districts. District Boards in their corporate capacity know nothing about, and care little for, municipal work. Smaller municipalities are best controlled and superintended by the District Magistrate as they are at present.

It is not possible or advisable to delegate to the village communities of these provinces powers in the disposal of local affairs relating to revenue, police, sanitary, educational, or other matters. These communities are composed of very ignorant, credulous persons who as a rule have the vaguest ideas on most things. Their members are divided into castes and classes which have small regard for each other, and even those who belong to the same caste are often at feud, while the present tendency seems to be for corporate village property to become individual. A whole community is sometimes over-ridden and terrorized by its worst and most mischievous members. That, however, village communities do now largely manage their own affairs is proved by the returns of police stations, but I cannot think of any particular power with which it would be advisable to formally invest them.

It is certainly desirable that the senior Joint-Magistrate of a district should be able to relieve the Collector of a material portion of administrative, and in some districts appellate, work. A larger subordinate staff, too, would render fewer transfers possible.

At present Government allots grants (normal and special) to provincial Heads of Departments for the construction and maintenance of all buildings and roads which are not under the District Boards The Commissioner is the Head of Department so far as this arrangement is concerned in regard to the following provincial works:—Certain civil buildings (churches, lock-ups, additions and alterations to existing treasuries, museums, provincial charitable institutions); ferries and dak bungalows, camping grounds; improvements in towns; wells, &c.; and sewerage, drainage, and protective works. In framing budgets and representing the requirements of all works and roads controlled by other departments a Commissioner has no *ex officio* voice. Nor has a Collector. Thus the connection of both with Public Works Officers and their works is of a very limited character, being practically confined to allotting to them funds for the carrying out of District Board projects entrusted to the Public Works Department for execution. Yet local officers must necessarily be more in touch with local needs and circumstances of every kind than distant Heads of Departments, and the defects of the present system are illustrated by two concrete examples given me by the Collector of Benares, who writes:—

"About two years ago the Director of Public Instruction decided to build in Benares a Normal School for, I believe, teachers of Secondary Schools.

I was consulted unofficially in connection with the acquisition of a site. It was bought in a hurry as the money had to be spent at once, and there my connection with the matter ceased. Large quantities of materials were then collected also hurriedly, and there the matter has rested for the last year or more. Neither the District nor the Superintending Engineer, of whom I made casual enquiries, knows what is to happen. They have done what they were told to do, the rest is no concern of theirs.

"Again, some time ago the High Court decided to build a new Civil Court. Again I was consulted unofficially with regard to a site. A piece of Government land near my Courts was chosen and my connection with the project ended. Materials, I see, are being collected here also."

Divisional provincial Public Works budgets prepared in consultation with Heads of Departments should be substituted for the present departmental budgets. What is wanted is a local authority which can co-ordinate the projects and needs of the various departments, watch the various works carried out, and control the expenditure. At present the Heads of the Departments are in such matters too often shut off from each other in water-tight compartments. So far as *normal* grants for Public Works and buildings unconnected with District Boards are concerned, the Commissioner should prepare the budgets for their divisions in consultation with Collectors and Heads of Departments in much the same manner as the District Boards prepare their budgets for "local works." The initiation of projects would thus lie with the Commissioner and the Head of the Department concerned in consultation, and the execution of each work would be generally supervised by the Commissioner and his subordinate, the Collector. The Commissioner would be the colleague of the Departmental Heads in matters pertaining to his division. At the same time the ultimate financial control and the allotment of special grants would still rest with Government.

27853. You have five districts under your charge?—Yes.

27854. The population of two of them is over a million; are they more difficult to administer than the other three?—No; Mirzapur has peculiar difficulties of its own because of the nature of the country; it is an enormous area; it is the biggest in area in these provinces, and a great deal of the district consists of wild hill country, over which communications are very difficult—strips of valley divided from each other by ranges of hills. Jaunpur is an easy district to administer.

27855. Have you any particular rules about touring for Divisional Officers?—I have no rules; I am supposed generally to be on tour myself in the cold weather, and Collectors are supposed to be on tour for three months. There are no hard and fast rules laid down.

27856. How long are you generally out on tour?—This year is my first cold weather tour as a Commissioner; I was detained at headquarters till the 14th November; I went out immediately after, and I have been on tour ever since with intervals of three or four days in a month.

27857. Did that time enable you to go thoroughly round your division?—No; I am going out again immediately.

27858. Will the touring that you are able to do in the course of the year make you fully acquainted with all your districts?—Yes, because I not only go on tour in the cold weather, but in the hot weather I make expeditions to headquarters and see my Collectors and go to different places.

27859. During your annual touring you have the opportunity to make yourself acquainted with the *personnel* of the establishment under you, and also with the principal people, in the districts?—Yes, whenever I go to a district headquarters the principal people come and see me, and they come and see me here too.

27860. You have no difficulty in coming across them?—None whatever.

27861. You mention a great number of appeals that come up to you; how many of these have been appealed against?—I could not tell you; the proportion is very small.

27862. You review the annual reports of the District Boards, and you circulate a copy of your review; do you send those District Board reports on, or do they stop in your office?—I think they go on, to Government; I am not sure. District Board reports are *not* now forwarded to Government. All the municipal reports go on.

27863. Is that necessary?—Yes, I think so; certainly the municipal reports of big cities; it is not necessary in the case of the smaller towns.

27864. You get an annual Revenue Administration Report from your Collectors, and besides that you get a report from them on forests and police?—I do not get a report from them about forests, because I have no forests in my division, but I get police reports from them, written by the District Superintendent of Police and reviewed by the District Magistrate. They go through me to the Inspector-General of Police, and I write a divisional review of them; I comment marginally on special points; there is a special margin reserved for my comments.

27865. Is the only report which the Collector sends to you a report on revenue?—He sends me an original report on revenue, and then he writes the District Board Report and the Municipal Reports. He also sends to me reports on the working of the Arms Act and the Explosives Act, income-tax, and minor departments.

27866. Could all those things be included in one general report on the state of his district?—They could be, of course. I do not see how you could do it very well.

27867. Has such a thing ever occurred to you?—No, I do not think it has; the reports go in at different times.

27868. Is that an insuperable difficulty?—The revenue reports must go in at the end of the revenue year; then the income-tax reports go in at the end of the financial year, and all the Municipal and District Board reports go in at the end of the financial year; the subjects are so different.

27869. You have an annual report on each estate, and you report to the Board of Revenue?—Yes, that is in Court of Wards' estates; I review the report in the case of each estate, and I send the Board a copy of my review.

27870. Is that necessary?—I think so; it does not take long.

27871. Could you not merely review either the larger estates, or else the ultimate result in each separate estate?—I think it enables more supervision of the management if one reviews each estate by itself; there are not many as a rule. I have got seventeen altogether, large and small, and reviewing the smaller estates takes very little time.

27872. With regard to Public Works, you say you have the advice of the Executive Engineer in municipal matters and can give directions to Public Works Officers. Have you got sufficient and satisfactory relations with the Superintending Engineer?—I really see very little of him.

27873. You want the Superintending Engineer to consult with you upon all Public Works matters?—If some such plan were followed as I have sketched out it would be a good thing; when I said I could give directions to Public Works Officers in my division in the Buildings and Roads Branch, I really meant that I could ask them to prepare fair projects of certain works, that is, detailed projects of works required. That is the only matter in which I can give them directions.

27874. Do you have conferences of your District Officers?—No, but I see them constantly. When the Lieutenant-Governor came here the other day we had a Famine Conference, but I personally do not hold conferences.

27875. Would it be a good thing to do?—I do not see much object in it, because I see all my District Officers constantly; I do not think there would be any object in calling them away from their districts to sit together.

27876. Might it not have a good effect upon them with regard to their work?—In the District Boards review they all see what I say about the work of each of them; it would not really make any difference;

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besides, I keep them in touch with each other in various ways. For instance, Jaunpur and Benares have been very much in touch in regard to their educational policy lately.

27877. Suppose you had conferences of this sort, might not that enable you to do away with a certain amount of writing reports?—I do not see very well how it could.

27878. Do you have the posting or transferring of officers in your division?—Only of minor officers—naib-tahsildars and minor officials. I can transfer tahsildars within my division.

27879. Do you think you might have the transferring of Assistant Commissioners within your division?—I can always propose it to Government. When I propose anything of the kind they have invariably accepted what I proposed.

27880. Might it not therefore be done by the Commissioner directly within the division?—I think it might.

27881. Do you appoint any of the subordinate staff? Yes, I have a certain power of appointment.

27882. Has that to go to Government for sanction?—Not necessarily.

27883. Do you see the budgets of the municipalities?—Yes, I pass them.

27884. Do you examine them in great detail?—I go through them carefully. I have just been going through the Benares budget, but I simply passed it straight away; I entirely agree with everything that is in it. Sometimes the budgets do require criticism. For instance, I may think they have not given enough for education or for lighting, or that their closing balance is too large.

27885. Would you be satisfied with criticism of the major heads while allowing the minor heads to go uncriticised?—That is what I do; I do not touch the minor things at all.

27886. You scrutinise the major heads, and leave the minor heads alone?—That is practically what I do; I look through the whole; I do not say anything more than I feel obliged to say.

27887. Is the Collector the Chairman of the District Board?—Yes.

27888. Does that work well here?—Yes, very well.

27889. Would it be possible, from the point of view of efficiency, to have a non-official Chairman?—No.

27890. (*Sir Frederic Lely.*) Are not the principles on which the Court of Wards affairs are managed, fairly simple, such as would be within the grasp of any District Officer?—Yes, quite.

27891. Has the Collector any power to initiate in any estate under his charge?—He practically does initiate, unless it is something that obviously requires sanction; he starts improvements and all kinds of things.

27892. Has he any power to re-appropriate from one head to another?—No, he has no power of re-appropriation.

27893. Has he any power to sanction expenditure?—He can only sanction under the budget heads.

27894. That is to say, matters which have already been disposed of?—Yes.

27895. Then I do not quite see how his power of initiative comes in?—He has the power to start improvements; he thinks out improvements and he starts them.

27896. He has to get sanction beforehand for everything?—He is supposed to, that is to say, for everything outside the budget; he can initiate nothing within the budget.

27897. He can initiate nothing of his own motion apart from the budget?—No.

27898. Does not the successful management of an estate depend very greatly upon the personal interest taken in the details?—Very much so.

27899. Would it not be well to give the Collector more personal power in the management of estates, so that he might have, so to speak, more at stake in the success of his management?—He might be allowed to re appropriate more than he is; he is not really allowed to re-appropriate at all.

27900. You would not go further than that?—I do not think so. As a matter of fact Collectors, if they have got time for it, do take a great interest in Court of Wards work, and any Collector who is keen on it and wishes to initiate anything can always get sanction.

27901. It involves correspondence?—Very little. Very likely he only talks to the Commissioner about it; he simply says, "Do you think it would be a good thing if I did so and so?"

27902. Would it not be an advantage to make the Collector practically the Court of Wards, and to leave it to the Commissioner to go round and correct any vagaries by his inspection, and also by the annual report?—I do not see that any particular alteration is required in the Court of Wards system. A Collector who really takes a great interest in his Court of Wards work is not hindered really at all by the present system; he might re-appropriate more, that is all.

27903. Would you see any particular danger in the suggestion I have made?—No, I do not see any particular danger.

27904. Do you suggest that the divisional Public Works budget should contain all the Public Works in a division belonging to all the departments?—I think so, belonging to all the departments except those under the District Board, which are on a different footing.

27905. As a matter of fact, are the special Heads of Departments as a rule younger, or are they about of the same standing as the Commissioner?—They are on about the same standing.

27906. Are they graded as Commissioners—I mean the Excise Commissioner and the Inspector-General of Police?—No; the Excise Commissioner is junior; the Inspector-General of Police is about the same standing as the Commissioner.

27907. Is the Settlement Commissioner graded as a Commissioner?—There is no regular Settlement Commissioner; a Settlement Commissioner is appointed now and then as a special measure, not otherwise.

27908. Is there any other Head of Department?—The Director of Agriculture is rather junior to the Commissioner; the Director of Education is about the standing of the Commissioner; then the High Court is represented by the Registrar.

27909. A witness says that in towns like Cawnpore, Agra, Allahabad and Lucknow there are non-official gentlemen of education and position who could preside over any Municipal Boards with credit to themselves and usefulness to the Government: would you agree with that?—No, not as far as I have seen; from my personal acquaintance I should say not.

27910. Including Benares and Allahabad?—Yes.

27911. You have no acquaintance with Cawnpore, Agra, and Lucknow?—No.

27912. On the whole, you think there is no material change to be advised in the present system of Government?—No.

27913. Does it give to private persons a field for assisting Government and for making themselves of importance in the administration of their own *taluk* or district?—I think it does, if they really wish to. For instance, take Allahabad or Benares. Suppose there is a citizen of Allahabad or Benares who is well educated and thoroughly loyal who wishes to do his best for Government, he has got ample opportunity; he can be a most useful member of the District Board; he can be Vice-Chairman: he can relieve the Chairman of a very great deal of the work. At Meerut the actual routine work of the Municipal Board was done by a non-official, a Muhammadan gentleman, who relieved me of a great deal of the ordinary routine of municipal work and gave me his views and advice on all important matters. He was of enormous use to me, and of great importance in the place.

27914. He was not made Chairman?—No.

27915. Why was a man like that not made Chairman?—I do not think he would want to be Chairman himself; he used to come to me over difficult points, and he seemed much more anxious to rely on my judgment with regard to these.

27916. Was it ever offered to him?—I am not aware that it was.

27917. (*Mr. Dutt.*) Under the law of this province, is it possible to appoint a non-official Chairman of a

municipality?—Yes, except in certain selected big cities like Allahabad, Benares, Cawnpore, and, I think, Agra.

27918. As a matter of practice there is no non-official Chairman?—Except in Fyzabad. There has been a non-official Chairman there for years.

27919. Has he given satisfaction by his work?—I really cannot say.

27920. Your districts are not of a very large size in this province?—Not as a rule.

27921. Are the sub-divisions also of moderate size?—Yes, each is divided into four or five sub-divisions.

27922. Is the Sub-Divisional Officer generally a Deputy Collector?—Yes. Sometimes he is a Joint-Magistrate, and sometimes he is a Deputy Collector; most of the Sub-Divisional Officers are Deputy Collectors.

27923. Are the Sub-Divisional Officers, generally speaking, well qualified men who give satisfaction by their work?—Yes.

27924. And they are generally improving with the advance of education?—They are, decidedly; they have improved a very great deal within my experience.

27925. They form the Provincial Service?—Yes.

27926. Their transfer now rests with Government?—Yes, Commissioners can recommend, but the actual orders are passed by Government.

27927. Do you desire the Commissioner to have the power of transferring them within his division?—No. I do not think it is necessary? I have no objection to having the power; the Government would always accept a suggestion of mine in this connection.

27928. Each sub-division is divided into *tahsils*?—Yes.

27929. How many *tahsils* are there generally in a sub-division?—A Sub-Divisional Officer's charge consists of either one or two *tahsils*, generally two. Each *tahsil* has a tahsildar.

27930. What is the class of officers you have for tahsildars?—They are very often men who subsequently become Deputy Collectors; they are a stamp of officer which has improved a great deal within my experience.

27931. Do you generally require good educational qualifications in these men whom you appoint tahsildars?—Yes.

27932. Would they be graduates?—If we can get them.

27933. Are those who have been recently appointed generally graduates?—I cannot say that they are generally graduates; we get graduates if we can.

27934. A meritorious tahsildar can be promoted to the office of Deputy Collector?—Yes, and they are very soon so appointed. Only last year a fourth-grade tahsildar was appointed Deputy Collector straight away without going through the above three grades at all. The Government asked me to nominate a man; and I nominated this man; he is a man of high educational qualifications, I knew him personally, and they appointed him at once.

27935. I suppose Government sometimes appoints Deputy Collectors direct. In what proportion would you say?—I really could not tell you.

27936. What is the pay of the tahsildars?—They get from Rs. 150 up to Rs. 250.

27937. You are not inclined to curtail the right of appeal to the Local Government?—No. I do not see the necessity of it. If I curtailed any appeals at all it would be the appeals in the Criminal Courts, not the executive appeals.

27938. You tell us that "the Government of the United Provinces has lately done its best to increase the powers of District Boards and to prevent their energies being deadened and cramped by departmental control." Are the primary schools generally under the administration of these District Boards?—Primary and secondary education are under the District Boards.

27939. Who inspects the primary schools?—The deputy inspector of schools.

27940. He is a Government servant?—Yes.

27941. Is he a member of the District Board?—No.

27942. When he sends some remarks to the effect that a school is mismanaged, are orders passed by the District Board?—Yes.

27943. Not by the deputy inspector as such?—No.

27944. If the District Board wishes to abolish a school, has it power to do so without reference to a higher educational authority?—Yes, they can do it straightaway.

27945. In the same way the District Board has the power of creating new primary schools?—Yes.

27946. Has the District Board any educational officers of its own, such as sub-inspectors of schools?—They have the deputy inspector and he is assisted by sub, and assistant, deputy inspectors, all of the Educational Department.

27947. None directly under the District Board?—They are supposed to be under the District Board; the deputy inspector is an officer of the District Board.

27948. Is he paid by Government?—He is paid by the District Board.

27949. Are the sub, and assistant, deputy inspectors also officers of the District Board?—Yes; they are borne on the educational list too, but they are under the orders of the District Board; they get their pay from the District Board.

27950. So far as education is concerned, have the District Boards a fairly free hand in the management?—Yes, they have a very free hand.

27951. Who is the officer who constructs District Board roads and bridges?—The District Boards can carry out petty works, that is, works costing below Rs. 1,000, themselves, by their own sub-overseers, but they have to ask the assistance of the District Engineer if there is a question of making culverts or bridges or anything of that kind; for works costing over Rs. 1,000 they have to go to the District Engineer.

27952. Is the District Engineer an officer paid by the Government?—Yes.

27953. Would you approve of the idea of the District Board having a District Engineer of its own, so that it might construct most of its works without reference to Government Engineer?—I have always thought that the present system of limiting a District Board to a sub-overseer is not a very good one; the sub-overseer is a man with poor qualifications, he is on about Rs. 50 or Rs. 60 a month, and even for petty works it seems to me unsatisfactory that they should be in charge of a man of that kind.

27954. You would approve of the appointment of a well qualified Engineer under the District Board, so that most of the works might be done by the District Board itself?—I would.

27955. There was a proposal in another province that, as the District Boards could not probably pay for a very highly qualified Engineer, there might be one man appointed by all the districts of a division, each contributing towards his pay. Would you approve of such a plan?—I think it would be too much for him; I do not think he could do it all.

27956. You prefer the idea of each district having its own Engineer?—Yes, having a better class of officer than a sub-overseer, with power to carry out more expensive works than can now be done by that official.

27957. (*Mr. Hichens.*) Would the District Board be able to afford to pay for a highly qualified man?—Of course they could not pay for a man of high qualifications, but they could pay for much better men than the sub-overseers.

27958. Would his work be mainly connected with culverts and roads and small bridges?—This work would be largely connected with these, but he would have building of schools and other matters to attend to.

27959. Speaking generally, are the District Boards in a position financially to carry out those works which are necessary?—No, they are not as a rule; there are generally more works required than can be carried out.

27960. Should you say that they were inadequately endowed?—I should say on the whole they were.

27961. Would you suggest that they should have further powers of taxation?—No, I do not see how they could have very well.

27962. If a scheme could be devised for giving them wider powers of taxation, would it be desirable from

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the point of view of bringing home to them the meaning of financial responsibility?—I do not think so.

27963. You do not think there is much in that?—No.

27964. Would it be desirable to give the District Board a say in the distribution of excise licences?—No, I do not see what good would result from that at all.

27965. Is it not of importance that local opinion should be consulted in a matter of that sort?—Yes. Excise Officer does consult local opinion; he makes tours of his own, and it is his duty to place himself in touch with local opinions; whenever there is any question of opening a shop he goes there and sees all the people.

27966. Would not the Local Board give sufficient expression to the views of the public in a matter of that sort?—No, not as a rule.

27967. Does your division coincide in area with that of the Superintending Engineer?—No.

27968. Your proposal for divisional Public Works budgets would involve an alteration of either his area or yours?—I do not see why it should. If you examine my proposals, what I have said is that the Commissioner should prepare a Public Works budget for his division in consultation with the various Heads of Departments; then, suppose such a budget were prepared and sanctioned and orders were given to carry out the works, it would not make any difference to the Commissioner, provided he was in touch with the Superintending Engineer about it, whether the Superintending Engineer had other districts too under him or not. Provided my works are all right and the Superintending Engineer is looking after them, and the junior officers in the Public Works Department are looking after them, it is all right, I do not mind whether the Superintending Engineer's circle coincides with mine or not.

27969. Except that the Superintending Engineer would be, so to speak, under two masters?—It is for him to say how far that would be troublesome to him.

27970. That would not be a difficulty?—I do not see why it should be.

27971. Are conferences of Commissioners held?—No, except now or then for famine or something of that kind.

27972. It has been cited as a grave drawback that Magistrates, and even Commissioners, are frequently in the dark about the intentions or the plans of the Government?—That has been so in the past.

27973. Would not conferences of Commissioners be a very effective way of remedying that?—Conferences of Commissioners would be a good thing, decidedly.

27974. Possibly, if you wanted to hand information down a little further, a conference of Collectors would be a good means of doing that, too?—I do not see the need for regular conferences of Collectors, though they would be pleasant.

27975. You would favour, say, an annual conference for the purpose of discussing general matters of policy?—Yes, it would do no harm.

27976. (*Mr. Meyer.*) It has been suggested to us elsewhere that the provincial Public Works budget should be largely broken up, and that the Commissioner should have a lump sum for each division, in regard to which he should be the sanctioning authority, that he should select the works to be carried out and give authority for their being carried out. Does your proposal go as far as that?—Yes, I think it does, except that I leave the actual sanctioning to Government under my proposal.

27977. Suppose you have 5 lakhs to spend in your division upon Public Works, is it necessary that Government should sanction?—It is not necessary but is desirable.

27978. Are all the roads in the province under the District Board?—No, there are some provincial roads—some are local roads and some are provincial roads.

27979. Speaking generally, do the Government keep up many roads?—Yes, a fair number. Some are provincial, not very many.

27980. You used to have Sub-Divisional Boards here; they were abolished?—Yes.

27981. Was that a good thing?—Yes, because they were not of any use; the members would never meet; they used to be absolute shadows.

27982. Had they any powers?—They had some small powers—minor powers as far as I remember, connected with schools—very petty powers.

27983. Had they anything to do with roads?—They were supposed to look after roads and repairs and to make recommendations to the District Boards.

27984. They had no financial resources of their own?—They had no financial resources at all.

27985. Is it not possible that the want of interest arose from the fact that they were called upon to do nothing which was worth doing?—That may have been the case.

27986. Suppose you gave them some real powers, might you not get real local interest?—In regard to District Board work my experience has always been that District Board work is not as a rule work that interests non-officials; municipal work does interest them very much: they live in the place and they see the whole thing before them every day when they go out and come in, but in the case of District Boards the non-official members are gentlemen who either live at headquarters and have property out in the districts or they are people who live in some particular part of a *tahsil* and they do not take an interest in the *tahsil* generally, perhaps they are only interested in a particular road that goes past their houses. The general experience in regard to these small Boards was that the members very seldom came together; it was very difficult to secure their attendance.

27987. You have a sort of embryo municipality called a "notified area"?—Yes, very few.

27988. Are there committees for those?—Yes.

27989. Are they satisfactory?—Yes, they work very well, as far as I understand.

27990. Might it not be possible to extend that system, or to have some grouping of villages under which local committees might deal with roads and other things which did interest them?—It might be tried—I should like to think the matter over before answering that question. It might possibly be tried as an experiment.

27991. Is your whole district divided into sub-divisions, or is there any sub-division in direct charge of the Collector?—The whole district is divided into sub-divisions. The Collector is in charge of the whole; he has no direct sub-divisional charge.

27992. Your Sub-Divisional Officers all live at headquarters?—Yes.

27993. They tour during the cold weather?—Yes.

27994. They do the case work in their sub-divisions?—Yes. When on tour.

27995. Do they hear appeals from subordinate Magistrates?—No. Those all go to the District Magistrate.

27996. Might not the Sub-Divisional Magistrate take appeals?—Yes, he might.

27997. As regards revenue work, do they do the revenue work within their areas?—They have nothing to do with the collection of revenue; they try revenue cases within the powers of an Assistant Collector of the first class, and they try rent cases, and they look after patwaris: they look after the land record staff; but they have nothing to do with the collection o revenue.

27998. Do they look after income-tax?—Yes.

27999. Do they assess?—Up to a certain amount—I think it is Rs. 2,000.

28000. Have they anything to say to excise?—Yes. They look after the shops and the liquor traffic generally, and send information to the Excise Officer.

28001. Do they sell the shops?—No. The shops are auctioned at headquarters.

28002. The Collector has nothing to say to that?—Yes, if he likes he can hold the sale himself; it depends on the Collector, and how much he trusts his Excise Officer to do it efficiently.

28003. Might it not be advantageous to sell the liquor shops locally and let the Sub-Divisional Officer

do it?—It could be done, but I think it is better that there should be one excise authority at headquarters, co-ordinating all the excise systems in the district. A good many of the shops are taken by the people living at headquarters; I do not think the people would like it auctioning at tahsils.

28004. Would you be in favour of letting Sub-Divisional Officers live out in their sub-divisions?—I do not see the object of it where the districts are fairly small, as they are here; they would dislike it very much themselves.

28005. The people would rather like it?—I do not see why they should.

28006. They would not have to travel so far to see their *hakim*?—They have not far to travel; it does not take up much of their time; I do not think it would make any difference to the people.

28007. When there is an appeal in a revenue matter from a Sub-Divisional Officer, to whom does it go?—From a Sub-Divisional Officer it goes to the Commissioner.

28008. Not to the Collector at all?—There are only certain kinds of appeals which go to the Collector, such as a case of mutation of names.

28009. Speaking generally in the case of an ordinary revenue decision of the Sub-Divisional Officer, the appeal skips the Collector and goes to the Commissioner?—Yes.

28010. Is that a right system?—I think on the whole it is. A great many of these revenue cases that they try require a good deal of rent and revenue experience in an Appellate Court, and the Commissioner has more time for this kind of work than the Collector has as well as more experience; a Collector's hands are very full otherwise.

28011. The result is that a second appeal goes on to the Board of Revenue?—In a good many cases. A second appeal very often does not lie; whatever second appeals there are go on to the Board of Revenue.

28012. Would it not be a good measure of decentralization to put the thing lower down, to let the Collector take the first appeal and let the second appeal go to the Commissioner?—That might be done. Some of the Collectors of course are comparatively junior officers.

28013. Is not the complaint now the other way round?—It is becoming so.

28014. Do you appoint naib-tahsildars?—No, I do not appoint them; the Board of Revenue appoints them. And also tahsildars.

28015. Might Commissioners appoint their own tahsildars and naib-tahsildars?—It is better perhaps that there should be a provincial list; you get a better pick. In some divisions you get a very poor pick; in some you get a very good pick.

28016. Does it not lead to transfers?—Yes.

28017. (*Sir Steyning Edgerley.*) With regard to the question of the distribution of power amongst grades of officers; do you agree with the view that you should place power as low down as possible consistently with safety?—It depends on the power; do you mean executive or judicial power?

28018. Executive power, revenue power, administrative power?—Yes, as a general principle I should agree with that.

28019. You have a great many appeals under the Tenancy and Revenue Acts? Is that new work since the introduction of those Acts?—No.

28020. Suppose the idea to be carried out, that the Collector should take certain appeals; have you any sort of estimate of the relief that that would be to the Commissioner?—It would be a very considerable relief; on the other hand it would be a very heavy extra burden to the Collector.

28021. You have a different procedure as to the treatment of annual reports of municipalities and those of District Boards; you dispose of the municipal reports yourself, but as to the District Board reports you address the Government?—No; I review both; I do the same with regard to both.

28022. You say the alteration in the privilege leave rules has made diminution of transfers possible; would you be prepared to go further than a three months' accumulation of privilege leave?—I do not see why we should not.

28023. You would let an officer accumulate up to five or six months?—Yes, it might be done.

28024. It has been suggested that we should even go so far as that each officer should have an open ledger account with the Government and be allowed to take any leave which he has earned and which the Government are prepared to give him at a particular time; that would reduce all restrictions simply to the one that you should not have more than a certain percentage of officers absent; could you safely go so far as that?—The general principle should be that a man should always be allowed to go on leave whenever he wants to go, provided that the needs of Government and the necessities of his district or charge allow of it, and provided that he is entitled to it.

28025. That is practically the same thing?—Yes, you might accept that as the principle.

28026. You speak of the heavy roll of cases which requires an increase in the staff of Deputy Collectors: to what cases do you refer?—Revenue cases and rent cases and criminal cases.

28027. Do your tahsildars try any magisterial cases at all?—Very petty ones, within the powers of Third Class Magistrates; they do very little criminal work.

28028. You have no tahsildars with second class criminal powers?—We have some.

28029. Have you any first class tahsildars?—We have no tahsildars with first class criminal powers.

28030. You think that the Civilian staff in the province is too low?—I simply gave you the result of my own experience in my written evidence on this point; of course there is always this difficulty in regard to the staff that, although one always wants a great number of Joint-Magistrates, the number of districts is limited and the number of judgeships is limited, and they cannot very well be increased; so that if you liberally increase your staff of assistants, you are liable to get a fearful block in promotion, and that is not good for the Service.

28031. How would it be to have three or four or a calculated number of supernumerary Deputy Commissionerships, to prevent the transfers of Joint-Magistrates?—That would be a good measure if it could be carried out.

28032. It would be a little expensive perhaps, but would it have the effect?—It would have a good effect no doubt in that way.

28033. You seem to lay stress on the great development in primary education in Jaunpur and Benares; do you attribute that to the considerable amount of authority given to the Local Boards?—Yes; as a matter of fact, it is the Chairman in both instances who is responsible for that.

28034. The transfer of control has had the result of a great increase in primary education?—Yes.

28035. Do you not think that to grant greater powers in other spheres might have the same result of a development of interest in the work?—As a matter of fact the development of education in each of those cases is due to the Chairman himself.

28036. Do the other members take no interest in it?—They do, but they do not take the interest that the Chairman does, and their interest is largely due to the interest he takes in it.

28037. The grant of these extra powers immediately led to a growth of interest?—There were no particular extra powers given in regard to education; the Boards were told that they must take more interest in education, and we were brought more into touch with the Education Department.

28038. Were they not given power to appoint their own educational establishment?—The deputy inspectors were under the Board before.

28039. The result has been a considerable expansion of primary education?—In those two districts certainly.

28040. You think it is not *propter hoc* but *post hoc*?—I would not say that.

28041. About the village committees; you say in one place that they are composed of very ignorant,

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credulous persons who as a rule have only vague ideas about most things; then you go on to say that they do largely manage their own affairs; perhaps you would explain that?—Reports of many crimes never go beyond the village; we do not get information of anything like all the crimes that are committed; the inference is that they are disposed of by the people themselves.

28042. When you speak of the management of their own affairs what you mean is practically the settlement of criminal offences?—To a certain extent.

28043. Other affairs you do not think they manage?—I do not see what you could depute or delegate to them; that is the point. Of course they settle a great many of their private affairs in various ways.

28044. You do not think you could arouse their interest by giving them certain powers?—What could you give them?

28045. Certain things have been suggested to us elsewhere; the idea that was put before us in another province was that the first step in local self-government is to interest the people and create an interested electorate, to get people to take an interest in their own affairs, and that unless you give them something to do, it is not possible to create that interest?—I do not see what you can give them.

28046. (*Chairman.*) Is the jurisdiction of Sub-Divisional Officers territorial or by subjects?—It generally is territorial; that is, a Sub-Divisional Officer has as a rule certain thanas (police circles) made over to him; he tries all important criminal cases that come up from these thanas, and he sends other cases sometimes to the tahsildar or to some Assistant Magistrate for disposal. Then as regards rent and revenue, he has what we call a *tahsil* under his charge; that is, he tries rent and revenue cases within the powers of a First Class Assistant Collector. Then in the cold weather he tours in his thana circles and in his *tahsils*, which are as far as possible co-terminous, and sees to things generally, and he reports on matters in which he has not powers.

28047. Practically it is territorial jurisdiction?—Yes.

28048. It has been suggested to us that the municipality might have the power of alienation or transference of land within a given area: would you agree with that proposal or not?—I do not see why they should not have that.

28049. The suggestion was that they should have power, either as a reward or recognition of the public service or munificence of a particular individual, to alienate a certain portion of their property within certain limits?—Municipalities own very little land; here the land is largely Government land, of which they are allowed the usufruct.

28050. So far as the land is municipal land, you would have no objection to that alienation, but as to Government land you would object?—Yes; the municipalities only have the usufruct of it.

28051. As Commissioner have you a discretionary grant?—To a certain extent—in certain matters.

28052. Is it for Public Works purposes?—Land improvement loans, plague charges, petty Public Works projects, and so forth.

28053. What is the sum assigned by you for those purposes?—Very petty indeed. I get a sum assigned to me at the beginning of every year.

28054. The same sum every year?—Not necessarily.

28055. With regard to agricultural loans have you all the powers that you need?—Yes; I get special allotments made to me by Government. I get an ordinary regular allotment; then in a time of famine I get special allotments; lately I have had very large allotments.

(*The witness withdrew.*)

PANDIT RAMA SHANKAR MISRA, S.C.S., was called and examined.

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28056. (*Chairman.*) You are Magistrate of Ghazipur?—Yes, I have been three years at Ghazipur. I have been Magistrate of a district for twelve years.

As Chairman of the municipality and District Board I have had to regulate and control the finances thereof, and to supervise the Public Works and sanitation also. I supervise primary and secondary education, look after the sanitation of villages as well as after the Public Works and public health and other departments under the District Board. As District Magistrate, besides hearing appeals from Second and Third Class Magistrates, I see to the peace of the district and to the proper working of the police and of the rules connected with emigration and sanitation and other minor departments. As Collector I realize the land revenue demand and cesses. I control excise matters and assess alluvial *mahals* to land revenue according to the rules. I hear appeals and supervise the treasury and the Stamp Department as well as the Land Record Department. I see to the income-tax and to the general administration of my district.

I would not propose any extended powers to the Board of Revenue. If the powers of Commissioners were extended and a separate Commissioner of Court of Wards appointed, it will be possible for Government, with one or two extra Secretaries, to do all the work which is now done by the Board of Revenue. The Commissioners should vertually be Lieutenant-Governors on a small scale in their divisions. They should have all the powers of the Board of Revenue in Court matters. In general administration Commissioners should have all the powers of the Board of Revenue. Similarly Collectors should have more extended powers in matters relating to revenue. In brief, all revenue work beginning with the tahsildar should end with the Commissioner.

The Court of Wards should be a separate department under a Commissioner of Court of Wards. He should deal directly with the Collectors. Commissioners of divisions should only have power of general supervision when on tour. All references should be made to the Court of Wards Commissioner by Collectors.

Collectors should control, to a greater extent than at present, expenditure in their districts. Sums for the contract grant, for the *takavi*, for temporary establishment should be allotted to Collectors directly by Government. They should have power to re-appropriate amounts in the contract grant from one head to another and simply report their action to the Accountant General.

I am against making a general Act empowering provincial Governments to delegate their powers. In special cases such delegations will be generally beneficial and conducive to quicker despatch of work.

I would not curtail the right of appeal to the Local Government, now granted in respect of administrative action, but I would add a provision that such appeals must be presented either personally or by a duly authorized agent. By this the practice of sending of useless appeals by post would be stopped. I would also fix a limitation of two months for such appeals. Similarly I would not curtail the right of appeal to Local Government by its officers against orders affecting them personally, but they should also be subject to the same conditions.

The tendency of provincial Governments is in the direction of excessive rigidity and uniformity. In some cases it can be relaxed if rules and orders were passed, not for the provinces as a whole, but for Commissioners' divisions according to local conditions and requirements. Provincial Governments are a bit impersonal owing to the fact that the Secretariat is not in personal contact with people, but they are not dominated greatly by considerations of revenue. In my official experience of over thirty years I have never found the Government sacrifice the good and welfare of people to monetary considerations. The influence of Commissioners in matters appertaining to departments other than the Land Revenue Department is not sufficiently strong. They should be almost all-powerful in their divisions. They should be the final authority, and as a rule their proposals and views should be accepted.

Executive Officers have sufficient opportunities for personal contact with people if they will take advantage of them. Some very heavily worked officers find both time and opportunity to mix freely with people. The cold weather tour, if it be extended to five months,

can give officers both time and opportunity to come in personal contact with the people. If Sub-Divisional Officers have their headquarters in their own sub-divisions, this will give them still greater opportunities. I do not believe in the inability of officers to mix with people among whom they work simply on account of overwork. It is not the want of knowledge of vernaculars which keeps back officers from this personal contact. As a rule they know sufficient of the vernaculars to exchange thoughts.

A general increase in the administrative staff is necessary both in the higher and in the lower ranks. Work has increased largely and now a revision is necessary. In fact in some districts superior officers have been allotted in excess of the sanctioned scale. The ministerial staff also has to some extent been increased, but it still has to work from morning till evening. Some districts, like Allahabad, Agra, Gorakhpur, Basti, and Banda, will do much better by curtailment in area.

Officers are too frequently transferred at times. The only way by which this can be avoided is for the Government to pass an order that no transfers without good cause should take place before five years.

Larger powers should not be given to municipalities, to District Boards, or to any Local Boards, except in the matter of the budget. Taking it for granted that the District Magistrate will, as hitherto, be the Chairman in future also, the budgets might be left to be sanctioned by the Boards without reference to higher authorities. In case of any differences between the Chairman and the Board the Commissioner should be the final deciding authority. I do not think the municipalities should have powers to fix rates of octroi. If the members of local bodies are left to themselves, without guidance from the District Magistrate, on account of different castes, creeds, sects, and divergent interests, they will have not much chance of getting through the work or improving the condition of their charge.

I am not in favour of the creation of Advisory or of Administrative Councils to assist Divisional or District Officers. These officers cannot get any assistance from these Councils in their Court work, which has reference to law, rules, regulations, and circulars. They already get assistance in matters connected with municipal and District Boards from members of these Boards. In political matters or other executive matters requiring assistance, such as the friction between Hindus and Muhammadans, I have always found particular individuals more useful than a body of them. There is in almost every district a bench of Honorary Magistrates, and it can be made use of when necessary. India is a country where people have always looked to personal government. If such Councils are formed, there will always be difference of opinion amongst the members themselves, and the District or Divisional Officer at times will find that his valuable time has been sacrificed and he has been unable to get the expected assistance.

It would not be expedient to invest District Boards with power of supervision and control over smaller municipalities within their respective districts. Members, as a rule, do not take interest to such an extent in local affairs as would justify my advocating larger spheres of action for them.

It is not desirable or possible to give the village communities greater power in the disposal of local affairs relating to revenue, police, sanitary, educational, and other matters such as the disposal of petty criminal and civil cases. My experience as a native of this country, as well as that gained in my official life, leads me to the conclusion that the present village community is no community at all in the strict sense of the word. There is no sameness of purpose or homogeneity of thought or identity of action and interest, and as a consequence there is no union. In some villages even house is divided against house, and even in the most peaceful ones there is no public opinion and hence no desire for joint action. In the olden days, when there was a real village community, consisting of the joint members of the owners of the village and their dependants, the village was a unit of administration. Now, as there are so many heterogenous factors in a village, it is impossible to secure fairness and justice if a village becomes the unit of administration. In fact, the village people have not, besides disunion, sufficient training to enable them to dispose of local affairs. They as a rule want some one else to steer them. The present panchayats decide mainly questions of sectarian religion, ethics, and moral conduct, and they are fairly successful because of unity of thought in these matters. Even such panchayats are losing their hold and people concerned have recourse to Courts of Justice. I raise my warning voice, humble though it be, against the spirit in which these proposals have been engendered. The Government must realize that they are making history far too quickly.

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28057. Are you Chairman of the municipality of Ghazipur?—I am.

28058. You tell us that you regulate and control its finances; have you got perfect freedom in that matter?—Almost perfect freedom, because the proposals I send up are always sanctioned by the Commissioner.

28059. Is the budget prepared by yourself or by the Vice-Chairman?—Practically by the Chairman; then it is presented to the Board, and when they have passed it it goes to the Commissioner.

28060. Is the Vice-Chairman an official?—Yes.

28061. Have you any power to delegate powers to him?—When the Chairman is out of the station, the Vice-Chairman does the work; otherwise the Chairman does his own work.

28062. What is the size of Ghazipur?—It is a fairly large district; it is about 1,400 square miles.

28063. How large is the municipality?—It is a small municipality, with about 40,000 inhabitants.

28064. Are you Chairman of the District Board too?—Yes.

28065. Do you prepare the budget of the District Board?—Yes.

28066. Do you do that yourself?—Yes.

28067. Is your Vice-Chairman an official or a non-official?—He is an official, one of the Deputy Magistrates.

28068. Do you send up the budget both of the municipality and of the District Board to the Commissioner?—Yes, separately.

28069. Does he make many alterations in them?—No, practically none.

28070. In the District Board you have vernacular secondary education under your control. Do you find that works well?—To a more or less extent it does; I never found any difficulty in seeing that all the needs of education up to that standard were not neglected.

28071. Do you manage the English secondary school?—The Education Department manages it, and we finance it.

28072. Does that work well?—No; Government ought to finance as well as control it.

28073. Would that be preferable to the District Board financing and controlling it?—Yes.

28074. What have you to say with regard to primary education?—The District Boards have to do with primary education altogether.

28075. And that works well?—Exactly.

28076. As Collector you realize the revenue and land cess?—Yes.

28077. Does the District Board collect its own cess?—No. So much is given every month from the treasury to the personal ledger of the District Board from what has been collected by the Collector.

28078. Do you collect the cess at the same time as you collect the land revenue?—Yes; the cesses being the first charge, they are collected first, and then the land revenue.

28079. You think you ought to have the power to make all appointments in your district?—Yes.

28080. Including tahsildars, naib-tahsildars, and excise inspectors?—Yes.

28081. Is excise under a special Commissioner?—Yes.

28082. Does he work the department through you?—Yes, through the Collector.

28083. While you would not curtail the right of appeal you think that appeals ought not to be sent through the post, and that they ought to be sent at

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all events within two months?—Yes, in everything there is a limitation, and I do not see why there should be no limitation in these appeals.

28084. Do many of them go up?—Almost everybody goes up to Government on appeal.

28085. Ought either the municipalities or the District Boards to have much larger powers than they have?—I have proposed that so far as the budget is concerned they should have more power; I see no reason for the budget going to any higher department; otherwise things might remain *in statu quo*.

28086. It has been suggested to us that both municipal bodies and District Boards should have the right to elect their own Chairmen instead of taking official Chairmen?—That would not work. There would always be disagreement.

28087. There would be two parties each trying to get its own nominee as Chairman?—Yes; the official Chairman holds the balance fairly between the two parties.

28088. Would it be possible in a district like Ghazipur to find a gentleman who would have sufficient leisure and knowledge to take the place of Chairman of the District Board?—He may have sufficient leisure and knowledge to take it up, but he would not have sufficient authority to control; that is the difficulty.

28089. He would be regarded by the other party as prejudiced?—Yes.

28090. How many sub-divisions are there in your district?—Four.

28091. (*Sir Steyning Edgerley.*) How many *tahsils*?—Four.

28092. Your system of administration would be to have a Sub-Divisional Officer and the Collector and the Commissioner and the tahsildar all in regular gradation, and the Commissioner final?—Yes; the tahsildar's appeals go to the Sub-Divisional Officer, and the Sub-Divisional Officer's appeals go to the Collector; all appeals end there, only revisional being given to the Commissioner from Collectors.

28093. You are a little inclined to doubt whether any work would be left for the Board of Revenue?—There would be none.

28094. We have been told that in other provinces, Bengal for instance, where they have a Board and Commissioners, they are trying now a system of making it a sort of consultative body for the Lieutenant-Governor; would they be useful in that sphere?—That is my opinion.

28095. Would a Board of that sort give a greater continuity of policy than you have at present?—Yes.

28096. Would that be a useful change?—Yes; most of the Board's time is taken up with second appeals and Courts of Wards work.

28097. You think that Collectors should have an allotment for expenditure in their district, one head being for contract contingencies; you have different kinds of contingencies?—Yes.

28098. Do you see any reason why the whole of the contingencies should not be lumped under one contract?—That would be very good indeed. It would simplify work a good deal.

28099. You express an opinion against a general Act of Delegation; what do you understand by a general Act of Delegation?—Passing an Act under which certain powers which are wielded may at times, if necessary, be made over by Government.

28100. By what procedure?—Simply by the procedure of alienating the right vested now in certain officers of Government.

28101. How?—By writing.

28102. Simply a written order?—That is all; just saying "under section so and so the Government of the United Provinces delegate its powers to so and so."

28103. It has been suggested that the Government should notify in the Gazette that they proposed to make such and such delegation, that in future the Commissioner should dispose of this and that work, and invite objections to be considered within a month or two, and then act on the result of that consideration; do you see any objection to that?—I do not.

28104. That is more the form that a general Act of delegation would be likely to take?—It would be all right.

28105. You say that the masses of the people—by which you mean, I suppose, the cultivators and the people who live in the villages—do not really wish for an extension of local self-government?—None whatsoever.

28106. They prefer a personal government?—As they always have done for the last three thousand years.

28107. And you say that it is rather foolish to speak of them as a "nation"?—Yes.

28108. Is this change, of giving the whole matter of primary education to Local Boards absolutely, a recent one?—Yes.

28109. How has it worked in your district?—Very well.

28110. Does that quite bear out your idea that any extension of local self-government is not desirable?—My idea of local self-government is this; the things we do now are done by the Chairman of the District Board; it is not the people who initiate or do any improvements.

28111. Can that last? If you gradually extend your primary education and then your secondary education, must you not be prepared for a somewhat different system?—They are not prepared yet; probably in fifty or a hundred years the time may come when they can do the thing that you are proposing now.

28112. You think it would take as long as that in the United Provinces?—That is my opinion.

28113. You say it would be impossible to give village communities greater power in the disposal of local affairs; would you say the same if, instead of one village, the unit were a small circle of four or five villages?—The differences would be still further increased; they would be enhanced rather than diminished. With one village there would be only a limited number of men to disagree; with a greater circle there would be a greater degree of disagreement.

28114. And so on until, if you get up to the district you have a very large area of fighting?—Yes; if you leave it to the people, it will be.

28115. Would they not gradually get a sufficient body of men who have enough common sense to get on?—It is not only common sense in administration; I think there is needed a little vested authority. India is India. I, as an old man, cannot forget my traditions.

28116. (*Mr. Meyer.*) Have you a special officer in charge of the treasury?—Yes. There is a Deputy Collector in charge of the treasury.

28117. Have you any other officer besides that?—We have at the present time a special partition officer.

28118. But ordinarily, when the districts are in a normal state?—No.

28119. When there is a Joint-Magistrate, where does he live?—At headquarters.

28120. He is in charge of the headquarters sub-division?—Yes, and of excise.

28121. Is there not to be an excise superintendent hereafter?—No, an excise officer.

28122. Would you be in favour of making the Sub-Divisional Officers live in their own sub-divisions?—Yes.

28123. Are those sub-divisions settled by Government, or can they be changed at the discretion of the Collector?—They cannot be changed at the discretion of the Collector; they are territorial units.

28124. You would allow Collectors to appoint tahsildars finally. I suppose subject to certain qualifications of fitness laid down by the Government?—Yes.

28125. Would you be in favour of the Commissioner posting Deputy Collectors and Sub-Divisional Officers within his division?—Certainly, within his division.

28126. Is it laid down by law that in the case of some of the larger municipalities the Chairmanship must be held by the Collector?—I think the Chairman has to be elected, and it is Government which can veto the election.

28127. Take the municipality of Ghazipur; were you elected Chairman or were you appointed by Government?—I was elected.

28128. Generally, your Collectors are Chairmen of municipalities, if they are Chairmen, because they are elected by the municipality?—Yes.

28129. Is that also the case in regard to the District Boards?—Yes. I am an elected Chairman.

28130. Then there is a Vice-Chairman?—Yes. He is a Deputy Collector.

28131. Is there also a Secretary?—Yes. One of the Deputy Collectors.

28132. What are the functions of the Secretary and the Vice-Chairman? The Secretary has to deal with all papers that come to the Board, to pass orders, and if necessary to put them before the Chairman, and finally to put them before the meeting of the District Board.

28133. What does the Vice-Chairman do?—He simply does the work of the Chairman when the Chairman goes out of the district or is out on tour.

28134. The real executive work is done by the Secretary and the Chairman?—Yes.

28135. Is that the case in regard to municipal bodies also?—In the bigger municipalities we have a paid Secretary appointed by the municipality.

28136. What pay does he get as a rule?—We pay our Secretary Rs. 100; as a rule in the bigger municipalities it goes up to Rs. 400.

28137. Is he a man of the tahsildar class?—Yes.

28138. It has been suggested by one witness that the Secretary to the District Board might be paid, if there is to be a proper development of education; does that commend itself to you?—Yes, and if he is a man of the Public Works Department, he can look after the Public Works too; you might combine both the qualifications in the case of a well-paid Secretary.

28139. Such a man would not as a rule be competent to look after schools?—District Board education does not require much looking after; and all the roads he has to look after are the unmetalled roads and culverts; the metalled roads are all under the Provincial Service people.

28140. Would you be in favour of the District Board having its own engineer who might look after the roads that are now looked after by the Executive Engineer, the Executive Engineer dealing only with important main roads?—I think the present system works very well; all our roads are in very good condition.

28141. Do you pay any contribution towards the salary of the District Engineer?—I think not; he is a provincial man.

28142. You have no authority over him?—I have authority to criticise his work; I have to give him completion certificates for the works he does.

28143. If you think he has done a road badly, what happens?—I can report and hand him up. I cannot punish him in any way.

28144. You said that the secondary schools were paid for by the Board, but were run by the Government Education Department?—Yes, there are two classes of secondary schools; one is the vernacular secondary school, and the other is the English secondary school; I do not there refer to the secondary vernacular schools—they are paid for by the District Board.

28145. But does the District Board not have anything to say about their management?—Yes, they have everything to say; what I was speaking of here has the secondary vernacular school.

28146. It is only the English secondary schools that are managed by the Education Department?—Yes.

28147. And in that the District Boards have very little to say?—Yes, but they have to pay the cost of maintenance.

28148. You say that Collectors should have power to postpone revenue collections for periods extending at least to one year, and that they should have power of suspension as well. Are not the two things the same?—No. Under the present rules, without reference I can postpone revenue for six months; if I want to postpone for a further time I have to write to the Commissioner, and he has power to give authority for 18 months. Suspensions have to be taken up to the Board of Revenue. Between the two there is really not much difference.

28149. If you postpone a revenue collection it is suspended?—It is, but there is a little difference; suspensions have to go to the Board of Revenue; postponements up to six months can be done by the Collector, and if the Collector wants it for a longer period he has to go up to the Commissioner, who has power to do it to the extent of 18 months.

28150. Is that under what is known as the Calamity Rules promulgated by the Government of India some three years ago?—Yes. In the Board's circulars there is that order.

28151. That is for general calamity such as parts of the province are suffering from now?—Yes.

28152. In the case you can suspend (or postpone if you like the word better) up to six months, but in the case of individual loss you cannot do anything?—Nothing.

28153. Nobody has any power of remission except the Local Government itself. Is that right?—I think every case should go to the Commissioner; he should have the ultimate authority in the division for remission.

28154. Would you give the Collector any powers of remission?—No, I think he should go up.

28155. Under these Calamity Rules, revenue which has been suspended for a certain period, and has not been realised, is automatically remitted?—It is.

28156. Might not the Collector deal with that, or should he report it?—I think he should still report it.

28157. You said that members of the Board of Revenue might be retained, but that they should become rather colleagues of the Lieutenant-Governor. Should they deal with all matters, and not merely revenue matters?—Generally; a consultative body not sitting as the High Court in revenue cases or as the Head of the Court of Wards Department.

28158. But disposing of matters for the Lieutenant-Governor—matters of minor importance?—No, they would be disposing of matters of much higher importance than case work.

28159. At present all matters that go up to Government have to be disposed of by the Lieutenant-Governor unless some Secretary takes the responsibility of doing it in his name?—They go through the Board of Revenue.

28160. Would you have the Board of Revenue dealing with all matters, education, and so on?—No, only revenue matters.

28161. Might they not do the Court of Wards work also?—No, that is a special thing; if necessity arises, you have a Famine Commissioner and Settlement Commissioner, and I do not see why there should not be a Commissioner of the Court of Wards, because that work is always going on.

28162. Then it comes to this that you propose an extra official?—No; one of the members of the Board of Revenue separated off from the main body would do.

28163. (*Mr. Hichens.*) If the Lieutenant-Governor wants a consultative body of this sort at all, does he not probably want it in regard to education and other matters just as much as in regard to revenue matters?—But there is the Director of Public Instruction—that is his own department; he is a specialist there.

28164. Then would you put the members of the Board of Revenue in the same category as the Director of Public Instruction?—As Secretary I should.

28165. That is what you want them to become?—Yes.

28166. There is to-day no Board below the District Board?—No, under the District Board there are local committees for the *tahsils*, committees which take the place of the Local Boards. The Local Boards have died.

28167. May we say unwept and unlamented?—Unwept, unlamented, and unhonoured too. They did no work.

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28168. Do you agree with the last witness that the reason partly was because they had very little power?—Yes, and very little inclination; you may take the two things combined.

28169. If they had had more powers might they have had more inclination?—I do not think so.

28170. How do you account for their taking so little interest in the work?—Because it would have involved time and trouble; they would have had to leave their own work to do this public work.

28171. Do they not give time and trouble on the District Boards?—No, they do not give trouble; they say "Yes," that is all.

28172. You have local committees; are the members also members of the District Boards?—Yes. The members of the District Boards for their own *tahsils* constitute the committees.

28173. Do they do useful work?—They do not always. At times they do; if a road is being repaired close to a house they live in, they would in the evenings just walk out and see things; or, if a school is close by, a member will inspect it and put down notes.

28174. Do you ever give money to villages for the upkeep of their roads?—No, not for village roads; we do give grants for sanitary purposes.

28175. You give grants to the village?—Yes.

28176. Who disposes of that money?—The tahsildar. If there is a man who would look after it we do not hesitate to trust him with the money, but if there is no one then the money is entrusted to the tahsildar.

28177. You are not in favour of village councils?—No.

28178. Do you think that they would do nothing, or that they would quarrel?—They would do worse than nothing; they would quarrel.

28179. (*Mr. Dutt.*) The difference of opinion between them is so great that they could not be trusted to take joint action in regard to a road?—No; one would want it by the side of his house, another would want it by the side of his; they would never agree.

28180. How many members of the Board of Revenue have you in this province now?—Two.

28181. Your proposal is to have these two members as advisers on revenue matters only?—Yes.

28182. That they should occupy something like the position of Secretaries?—Yes.

28183. What is the pay of the members of the Board?—They get Rs. 3,500.

28184. Is it worth while keeping two men on at that rate of pay simply for the Lieutenant-Governor to consult them occasionally in revenue matters?—I do not say so; the question of pay rests with the Government. I would do away with them altogether.

28185. Do you think that tahsildars, appointed by the Collector and liable to dismissal by him, would carry the same prestige in the eyes of the people as they do now?—I think so.

28186. How many municipalities have you in your district?—Only one, Ghazipur.

28187. How many committees are there on the municipality?—Three, Sanitation, Public Works, and Finance and Octroi.

28188. Are the whole proceeds of the local cess made over to the District Board?—We have got two cesses; one goes entirely to the District Board and of the other a portion goes to Government.

28189. What are the two cesses?—One is the Acreage Cess; the other is the road and *Jagir* Cess; of the latter we get the full amount; of the Acreage Cess we get a part and the Government gets a part.

28190. What is the total amount of the Road and *Jagir* Cess?—Between Rs. 20,000 and Rs. 60,000.

28191. With regard to roads constructed for the District Board by the District Engineer, are you sure if any percentage is deducted by Government for his services?—I cannot tell you.

28192. You said in answer to Sir Steyning Edgerley that the people are accustomed only to personal rule within the last three thousand years; you also say that in the olden days there were real village committees; will you reconcile those two statements?—In the olden days there was not a Government of one British India; there were small States all round.

28193. I am speaking of village matters?—There was a *talukdar* or *chakladar*; he and his people formed a village committee; there are two or three instances of that within villages in Ghazipur.

28194. By real village committees do you mean that there was some sort of administration of village affairs by the village communities themselves?—Yes.

28195. So that what you say about absolute personal rule would be hardly consistent with that?—But there, too, in the village community it was the chief man, the *pradhan*, who was the final disposing authority.

28196. By "a real committee" do you mean the rule of one man or collective rule?—Collective rule under the headman.

28197. Is it impossible to revive that now?—That is my opinion.

28198. You said you would not entrust any kind of duties to the villagers because they have not got sufficient training to enable them to dispose of local affairs. Do you think you could give them sufficient training by keeping them apart from all work and all responsibility?—First of all, they must have a little of those qualities which would entitle them to receive that training; they will be entitled to that training when they get a little more educated. Our percentage of education in these provinces is four or something like that.

28199. Do you think that the facilities for education in the olden days were greater than they are now?—I do not know. I have read of women talking in Sanskrit in the old days.

28200. (*Sir Frederic Lely.*) Is Ghazipur a medium size town?—Yes; with about 40,000 souls in it.

28201. Do the affairs of the municipality take up a great deal of your time?—They do not.

28202. That is because everything is fairly peaceful now?—Yes.

28203. If there was any subject of keen discussion it would make a large demand on you?—Yes.

28204. Would it be great relief if you could get rid of it?—That would be so, but that would be compensated by having to make up their disagreements.

28205. Does the Sub-Divisional Officer take any part in the management of estates under the Court of Wards?—None.

28206. Would it be a good thing to interest him in the management?—I do not think it would end in any good to make the Sub-Divisional Officer take an interest in the management; there is always a special manager for the Court of Wards estates, and he is in close touch with the Collector. The duty of the Sub-Divisional Officer is only to go and check things when he is out on tour, to see receipts and ask the tenants if they have paid.

28207. In a matter so intimately connected with the welfare of the people, ought not the Sub-Divisional Officer to have something to do with it?—I do not think so.

28208. You would see a Commissioner of the Court of Wards appointed? Would it not be better, instead of appointing a special Commissioner to dispose of all references, to dispense with most of those references altogether and leave the management of the estate to the Collector?—At times things do happen when the Collector has to come up for advice.

28209. But does ordinary management of the estate present great difficulty?—It does not.

28210. The private estate of an owner is run during the owner's lifetime by the owner himself?—Yes.

28211. Is there any special reason why, when he dies or becomes incapable, the work should require no less than three great authorities to deal with them?—You are right there; it could be done by the Collector.

28212. Would there be advantages in entrusting the Collector practically with the whole management subject only to inspection by the Commissioner and perusal of the annual report?—I think that would do.

22813. It would re-act favourably upon the estates by stimulating the Collector's personal interest in them?—Yes, that is quite true; he would have to take much more interest when he knows that he is the man in whom everything centres.

28214. It would also be an advantage by associating him more closely with the welfare of the landed classes in his district?—Yes.

28215. Why do you say that all remissions should go to the Commissioner?—I think they should go up to some higher authority; with regard to suspensions it does not matter so much, because the amounts are collected sooner or later; but remissions should always go to a high authority.

28216 Suppose the Collector hears that some great calamity has befallen a village, not of any large area, but a very acute calamity, such as fire or hail or flood; would it be a good thing to enable the Collector to go to that village, look round and see the damage, and then say straight off, "I remit your revenue for the year"?—It would be very good, but it comes to the same thing; he sends up his proposal to the Commissioner for sanction.

28217. You do not think that it appeals more to the imagination of the Oriental to have the *hakim* come round and say, "I am very sorry for you, and I show my sorrow for you by remitting straightaway"?—Yes; I cannot say no to this question: it does appeal more to the imagination.

28218. But you still think it is not necessary to give him powers to remit more than Rs. 10?—I think it would be wise all round to consult higher authorities.

28219. You still would fetter the hands of the Collector?—At times you have to put in Collectors of say three or four years' experience; suppose a calamity happened just at that time, and your young Collector made a mistake.

28220. But you base your rule on the average man; the average Collector is a man of more than three or four years' service?—No doubt. *Pandit Rama Shankar Misra.* 10 *Feb.*, 1908.

28221. Is he not usually a man to be trusted with the disposal of Rs. 100?—Yes.

28222. If an Advisory Council was established, and if members were called upon to give their opinion, would the Collector in such a case get the real opinion of all the members?—No.

28223. Do you think that the average citizen has the political courage in these days as yet, to give an opinion which would be unpopular?—Most of the people would be afraid to give an opinion which would be unpopular.

28224. That would have a direct bearing if such questions as income-tax or remissions came up?—Yes.

28225. (*Chairman.*) On what principle is the Government contribution to a District Board based?—In permanently settled districts there is one rule, and in temporarily settled districts there is another rule.

28226. What is the rule in the permanently settled districts?—In Ghazipur, for instance, the Road and *Jagir* Cess goes altogether to the District Board, but of the Acreage Cess Government takes something.

28227. You do not know what?—No, I cannot tell you.

28228. Who carries out the works of the District Board, the repairs of roads, &c.?—The contractors under the orders of the District Board.

28229. Up to what limit?—Any limit.

28230. And for new works?—New works over Rs. 1,000 go to the District Engineer; under Rs. 1,000 they remain with the District Board.

(*The witness withdrew.*)

Adjourned.

FORTY-FOURTH DAY.

LUCKNOW, *Tuesday*, *February* 11*th*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon'ble Mr. J. M. HOLMS, C.S.I., was called and examined.

28231. (*Chairman.*) You are Chief Secretary to the Government of the United Provinces?—Yes. *The Hon. Mr. J. M. Holms.* 11 *Feb.*, 1908.

The matter of providing some reserve in the budget is of importance in a country like India, which is subject to sudden calamities and where it is impossible to earmark beforehand every project for which funds will have to be found. For instance, owing to a rise in prices, the budget provision for the feeding of prisoners may prove insufficient, and now that the Government of India secures closer budgeting by paring down most of the margin under savings of establishment charges, much difficulty is experienced in providing for the extra charge by transfer from other heads.

Connected with the delegation of larger financial powers to the Local Government is the question of the position of the Accountant General. He is the guardian of the financial interests of the Government of India, and audits and checks on behalf of that Government the financial dealings of the Local Government and the officers subordinate to it. In future he might usefully fulfil two functions. He should continue to watch over the interests of the Government of India, though his duties in this respect should be curtailed in accordance with the larger responsibilities delegated to the Local Government, while he should also watch over the financial interests of the Local Government and check the financial proceedings of the officers subordinate to it. In the latter capacity he would be under the control of the Local Government, which would be in a position to see that the checks applied were only such as were really required and to reduce and simplify the audit procedure, which is now in some respects unnecessarily detailed and complicated.

So long as the duties of Directors and Inspectors General under the Government of India are confined to giving to Local Governments the benefit of their wider experience gained by a knowledge of what has been done in other provinces, they serve a most useful purpose; but any orders passed on proposals made by them should, as at present, be issued by the Local Government or by the Government of India after consulting the Local Government.

It is difficult to apportion the initiative in administrative reforms, but I am decidedly of opinion that the central control of the Government of India is advantageous, provided that it is not unnecessarily detailed.

The Hon. Mr. J. M. Holms.

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Correspondence with the Government of India has not appreciably increased in the last fifteen years. The requirements of the Secretary of State for information mainly to answer questions asked in Parliament do not appear to have been more numerous of late years. The correspondence with the Statistical Department of the Government of India, however, shows a tendency to increase, and the information called for by it from the Director of Land Records and Agriculture appears in some cases, especially in the matter of crop returns, to be unnecessarily detailed.

The tendency in the Secretariat of this province is to scrutinize proposals made by the Departmental Heads from the point of view of general administration rather than from a departmental standpoint. The Heads of Departments, indeed, have at times urged the view that, in consequence, the point of view of the department has not always received sufficient consideration. The matter of education may be instanced.

Whatever may have been the case in the days of close financial bondage to the Government of India, the United Provinces Government is not now open to the imputation that it is too much dominated by considerations of revenue. The very liberal suspensions and remissions of land revenue which have been allowed in consequence of the failure of the last autumn crop may be quoted as an instance.

Executive Officers have in this province sufficient opportunities for personal contact with the people, but not sufficient leisure properly to avail themselves of these opportunities. They are on tour most of the cold weather and are, as a rule, freely accessible to those who wish to visit them.

Under the present system too much of the time of a Joint Magistrate is taken up with case work. After he has five years' service he should be given less original case work and be entrusted with more executive and administrative work—in fact, he should begin his more specialised training for the duties of Collector which the Government of India contemplate that ordinarily he should enter on after eight years' service. He should be a Joint Magistrate in reality as well as in name, and be used to relieve the Magistrate and Collector of part of his work, both appellate and administrative. I have been much impressed with the need of a larger staff of Deputy Collectors. With the present staff in the heaviest districts at all events good work is apt to be sacrificed to speed. The following statement compares the average areas and populations of districts in different provinces :—

	Total number of districts.	Total area in square miles.	Total population.	Average area.	Average population.	Remarks.
Madras (excluding the agencies of Godavari, Gangam, and Vizagapatam).	*22	122,460	36,867,218	5,566	1,675,783	*Taken from Civil Lists.
Bombay	25	†122,984	†18,515,587	4,919	740,623	†This includes the area and population of Bombay city.
Bengal	33	114,107	50,064,977	3,458	1,517,120	
Eastern Bengal and Assam (excluding the States of Hill Tippera and Mainpuri).	27	97,863	30,503,669	3,625	1,129,765	
Punjab	29	97,209	20,330,339	3,352	701,046	
Central Provinces	22	100,478	11,956,481	4,567	543,476	
United Provinces	48	107,164	47,691,782	2,232	993,579	

In this province Municipal Boards exercise very considerable powers, and I see no direction in which they can be usefully extended. When the recent decision of the Government of India to allow District Board funds to be treated as Excluded Local Funds takes effect, the great obstacle to the development of these bodies will be removed and they will enjoy a considerable measure of financial independence. The present functions of the Boards cover a wide range of activity and, generally speaking, their powers seem sufficient.

I am not in favour of Administrative Councils to assist either Commissioners or Collectors. Advisory Councils would weaken the administration and would not be popular among the bulk of the inhabitants of a district. For instance, I doubt if in a matter such as inoculation against plague the hands of a District Officer would be strengthened by the existence of an Advisory Council. The sense of collective responsibility among such bodies is not strong in India, and a District Officer in this province is already in touch with the men of influence in his district. Indeed, he has at present Advisory Councils to hand in the shape of Municipal Boards for matters concerning towns; and of District Boards for matters concerning the agricultural population.

In this province village communities are not organized bodies. The panchayats are caste panchayats only. Village communities exercise no recognized powers at all. Local self-government in the United Provinces has not yet reached a stage at which it would be advisable to make a new departure in the direction of conferring powers on village communities represented by *panches*.

The work in the Civil Secretariat of the United Provinces is undoubtedly very heavy, but the main reason for the pressure of work is not centralization carried to an undue extent, but the fact that the number of districts, the units of administration, is so large. There are forty-eight districts in the United Provinces, while Bengal, the province with the next largest number, has only thirty-three or a little over two-thirds of that number. The most hopeful suggestion that has been made to lessen the pressure of work at headquarters is the extension of the system of unofficial reference, which will be practicable at any rate for the part of the year in which the Board of Revenue and Heads of Departments are with the Government. During the time that the members of the Board and these officers are on tour there are greater difficulties in adopting this method of working.

28232. Is there any rule with regard to the length of employment in the Secretariat?—There is no rule in regard to the length of time, except the rule that Under-Secretaries do not stay more than two years; we try to pass as many men through the Secretariat as possible.

28233. Could a man, after being Under-Secretary in one department for two years, be appointed to another department?—Yes, but he would not be an Under-Secretary for more than two years; an exception might be made for a few months, but a man does not remain in the Secretariat as Under-Secretary in any department for more than two years.

28234. You were appointed Chief Secretary immediately after being Financial Secretary; is there no rule about that?—No.

28235. How long is it since you have been employed either as a Collector or a Commissioner?—Between four or five years.

28236. Is it common to transfer a man except in the case of Under-Secretaries from one Secretariat post to another?—It occasionally happens; it is not common.

28237. In its memorandum to the Commission it is stated that the Local Government would be glad if District Boards were given power to levy a railway cess; for what purpose?—To encourage the construction of light railways

28238. To pay for the capital and sinking fund?—To pay for the interest until such time as interest is earned.

28239. It is also said that certain orders have been issued by the Government of India regarding agricultural advances; what are the orders referred to? Are they hard and fast rules applicable to all provinces?—Yes, there was a Government of India's resolution of the 30th November 1905, and a circular letter of the 14th May 1907. They did more than lay down the principles, they went into considerable detail.

As regards suspensions the Government of India's letter of the 25th March 1905 seems to be open to somewhat the same objection.

28240. What was the letter, and how were you bound hard and fast by rules which were inapplicable to this province?—The letter asked for a submission of rules drafted by the Local Government for the approval of the Government of India, although the Local Government had power to make its own rules, and subsequent correspondence was directed to criticism of these rules as much in matters of detail as in principle.

28241. Did the Government of India supersede by detailed instructions power which they had nominally delegated to the Local Government?—The tendency was in that direction. It did not absolutely do so. It recommended a standard form of rules for adoption.

28242. Could all reports by the Collector to the Commissioner and apparently by the Commissioner to the Government, some of which are now separate reports to the different Heads of Departments, be conveniently combined into one General Administration Report for the district or division?—I do not think they could. To begin with, time probably would be a difficulty. A General Administration Report would not be submitted until the latest information was received, and on certain matters it might be desirable to get earlier information.

28243. Are there now several overlapping periods?—Yes.

28244. Could they not be made synchronous?—There are difficulties in the way, because of the character of the climate; the harvest is the most important thing in this province, and it would be difficult to make the whole revenue up to a particular time for the financial year.

28245. Are not your *kists* arranged according to the financial year?—No, they are arranged according to the crops on the ground.

28246. Do they change from year to year?—No, but the dates are fixed according to the ripening of the crops.

28247. Are they not fixed with reference to the financial year?—None of them are.

28248. We were told that in other provinces the *kists* were fixed, and sometimes inconveniently fixed, on account of the exigencies of the financial year?—In this province I am not aware of that. The different *kists* vary from district to district; it depends on when the crops ripen. In the eastern and western districts the conditions are different, and they have to be carefully adjusted according to the different crops.

28249. Is there any necessity for a different police year and a different excise year?—The excise year is now the financial year with us; the police year is the calendar year.

28250. Is there any real necessity, except for the revenue year, for these different years overlapping each other?—It is somewhat difficult to say without very careful examination in each case, but in some cases they might be made to coincide with the financial year.

28251. Supposing they were made to do so, would it, on the whole, be simpler to combine all the reports, say, into two, a Revenue Report and a General Administration Report?—There are so many different authorities; the Police Report does not come through the Board of Revenue at all, but is submitted direct to Government, and so with the Jail Report and the report of the Inspector General of Civil Hospitals.

28252. Are they not all reports from the Collector?—But the Collector submits them to the different authorities; he does not submit them direct to Government.

28253. Is there any insuperable objection to combining all the reports into one or two reports?—Yes, certainly.

28254. It is said that the Lieutenant-Governor considers that District Officers and Commissioners should have a small allotment assigned to them, but cannot he do that himself?—Yes.

28255. Therefore this proposal could be perfectly well undertaken by the Local Government now?—Yes, except that the proposal goes a little further perhaps; "general purposes" mean purposes which are a little outside the Accounts Department. Other provinces have made proposals that this should be for purposes not altogether recognized by the Accounts Code, and therefore it would give a little more liberty than that code allows, and a reference to the Government of India might probably be necessary before it could be done. *The Hon. Mr. J. M. Holms.* 11 *Feb.*, 1908.

28256. It is proposed to relieve the District Officers in the cases of Allahabad and Cawnpore by their removal from the Chairmanship of the municipality; is that not dependent on the initiative of the provincial Government?—Yes, with the sanction of the Government of India.

28257. Is the sanction of the Government of India necessary?—The sanction of the Government of India is necessary for the creation of a separate permanent post of Chairman of these municipalities.

28258. You do not mean the election of a non-official to the post of Chairman?—No; I mean in the case of a new paid post. I am not quite clear whether they are to be paid by the Government or not, but in either case the sanction of the Government of India would be required.

28259. Is it necessary to have a paid Chairman?—In Allahabad and Cawnpore the work is so extremely heavy, especially in Cawnpore with the large military interests there, that a paid Chairman is certainly necessary.

28260. Has any attempt been made to see whether a member of the present Board would be prepared to take the post of Chairman?—No attempt has been made, because it would not be a satisfactory arrangement.

28261. As regards municipalities and District Boards, it is said that the Commissioner is the real directing authority; who is the Chairman of the District Board?—The Collector of the district.

28262. Has the Collector, though he is nominally Chairman, practically no executive power over the District Board or the municipality?—As Chairman he has considerable power.

28263. But it is said that the real directing officer is the Commissioner; is it a good arrangement to put the Collector in as Chairman, and then leave the real direction to the Commissioner?—The phrase is perhaps misleading; "directing officer" means "controlling officer" more than "directing"; if "directing" is taken in the sense of administration, the "directing officer" is the Collector.

28264. Are you responsible, generally speaking, for the Secretariat?—Generally speaking, I am, with the exception that the Secretariat has been split into three parts, and each Secretary makes certain appointments of the clerks under him.

28265. Is the Chief Secretary responsible for the conduct of the business inside the office?—I am practically responsible.

28266. It is said that there is a tendency to treat each office as isolated from the rest, but surely that is a matter with which the Local Government can deal?—That is certainly a matter with which the Local Government can deal.

28267. It is not a question of decentralization at all but of interior economy and control by the Local Government, and if a remedy is needed, the remedy is in the hands of the Local Government?—Yes.

28268. Has any attempt been made to get rid of this difficulty of which you complain?—Of late some steps have been taken in that direction. The matter has not been taken up seriously yet, but it will be now.

28269. But if this is a real cause of complication and delay, is it not worth while doing it at once?—There are certain difficulties in the way which will require consideration in working it out with regard to extending unofficial references. One difficulty is that in the cold weather, when all the Heads of Departments are touring about the provinces, there is a danger of the loss of papers, and so on, but when all the officers are in one place it could be extended very usefully, and the Lieutenant-Governor will now take the matter up.

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28270. It seems to be your view that the Government should only obtain information by means of reference, but is it impossible to hold conferences of Commissioners?—Not at all.

28271. Is that done in this province?—No, we have no conferences of Commissioners.

28272. Do the Commissioners ever have conferences with the Collectors?—Undoubtedly, but there are no formal conferences.

28273. Has the holding of formal conferences ever been suggested to this Government?—It is not a question which has come up.

28274. Would they be useful?—I should prefer informal conferences. Formal conferences might be useful in the case of Commissioners, but a formal conference in the case of Collectors is not needed.

28275. Have you heard whether the system has been tried in other provinces?—Yes.

28276. With success?—I understand so.

28277. It is suggested that there might be local inspection—by whom should those local inspections be held?—The suggestion refers to Commissioners and Heads of Departments generally—in fact, all the authorities who receive reports.

28278. What are the rules with regard to touring for Commissioners?—There are definite rules laid down as to their inspecting district offices and treasuries, but there is no rule laid down as to the amount of time they are to be on tour.

28279. Is any such rule laid down for Heads of Departments?—No, it has not been found necessary; most Heads of Departments tour during the cold weather and for part of the rainy season.

28280. If the Lieutenant-Governor attaches great weight to local inspections one would have thought there would have been a rule which would have regulated inspections by the people who would conduct them?—It has not been necessary to make any rule; local inspection is thoroughly carried out.

28281. Why do you consider that the success of any scheme of decentralization is contingent on a large increase of staffs?—For the reason that the District Officers and their present subordinate staff are overworked.

28282. Would not decentralization relieve them?—It would diminish the work no doubt, but you must have time to make local inspections, and you must give the officers to whom duties are delegated time to carry them out. The Deputy Collector in this province with the present staff has very little time to do anything except case work; he is tied down to his desk.

28283. Although decentralization means decrease of work, you think a decrease of work must be accompanied by a large increase of staff?—That does not follow. Under the special conditions at present existing in this province the staff is so overworked that they have not much time to do anything except case work, and it would be very difficult to delegate additional duties to them.

28284. Are you responsible for transfers and promotions?—I am responsible for making proposals regarding transfers and promotions.

28285. Have transfers increased or decreased of late years?—Of late years they have decreased, and an endeavour has been made to limit them as far as possible.

28286. How long ought an officer to be retained in his division or district?—As regards a district, five or six years would be about the limit of usefulness for the reason that men take different directions; one officer in one direction will do good work, but there are other matters in which he takes less interest which ought to receive the same amount of attention, and if another man comes he will probably take up those other matters.

28287. What would be the minimum time a man should remain?—A man certainly ought to be left in a district three years, if possible.

28288. Would you give an officer who goes on leave, a sort of lien on his district?—Not necessarily.

28289. Would it be desirable to do so?—Not in all cases; it depends on the length of leave and other circumstances; you must take each case on its merits.

28290. Do promotions, at present, go as a matter of course, except in the case of Commissioners?—Yes, with exceptions in very exceptional cases; a man may ordinarily reckon on getting his district or judgeship.

28291. Is there any selection in the case of Commissioners?—Yes.

28292. Ought there to be selection in the case of Collectors or Deputy Commissioners?—If it was coupled with certain conditions, such as the granting of special pensions under different conditions to those now existing.

28293. Without mentioning names, are there a certain proportion of officers in this province who could usefully be retired on pensions?—There are a few, no doubt, but I would not put them on pension if they had been already appointed to the post of Collector.

28294. What would you do with an officer who had been passed over for the appointment of Collector?—It is very difficult to know what to do with an officer of that kind; I think it would be better to retire him altogether on pension.

28295. Are the tahsildars on a provincial or divisional list?—They are practically on a provincial list under the Board of Revenue.

28296. Is that preferable to having them on a divisional list?—I think so.

28297. Who transfers a tahsildar at the present moment?—That is done by the Board of Revenue in the case of transfer from one division to another. A Collector may transfer a tahsildar in his district and a Commissioner in his division.

28298. You have a considerable amount of papers going through you to the Lieutenant-Governor; what amount of work do you dispose of yourself?—That is rather a difficult question to answer; one can do it according to the number of papers, of course, but some of the papers deal with matters of a petty nature which do not count—I should say one-third of the number of papers goes on to the Lieutenant-Governor.

28299. Does that represent also a third of the time occupied by yourself?—No, on the whole, I think it represents more than a third, but it varies so much.

28300. Would most of that corrrespondence be properly dealt with by officers subordinate to yourself?—Not most of it. A certain proportion, no doubt, could, and the proposals of the Local Government are designed to stop a great deal of the work that goes up to the Lieutenant-Governor.

28301. Therefore, in that particular, decentralization will not necessitate an increase of staff?—Certainly not. The real difficulty in this province is because we have such a large number of districts; there are forty-eight here, and the work depends very largely on the unit of administration.

28302. How many Commissioners have you?—Nine, and the units of administration being so large, the work is very heavy, not because of excessive centralization, but on account of the large number of references which come up.

28303. Do you deal with famine?—Yes: a Famine Commissioner has been appointed to supervise the operations which are now in progress.

28304. Is he one of the ordinary Commissioners taken away from his work to deal with famine work?—Yes.

28305. On the whole, are the rules of the Government of India, in relation to famine, too rigid?—In some respects the Famine Code has had to be revised. In this province at present there is great demand for labour and an able-bodied man, speaking generally, can find employment, so we have had in some districts to give gratuitous relief to those who are unable to work without opening test works, which is a thing which the Famine Code does not contemplate. Another small matter, which came up the other day, was the scale of diet which had to be revised.

28306. Is the scale of diet the same throughout all India, or are you free to fix your own scale?—We are free to fix our own scale.

28307. Speaking generally, are you satisfied that under the Famine Code the provincial Government has full liberty?—I think so.

28308. (*Sir Frederic Lely.*) One reason for having tahsildars on divisional lists does not exist in your province, namely, the difference of languages?—No, there is practically only one language in this province.

28309. So that having a provincial list, there is no danger of sending a tahsildar to an area where he does not know the language?—The only case is as to the Hill tracts, and that is guarded against.

28310. Does not the province of Oudh differ in many respects from Agra?—It differs in its laws, especially as to land, and as regards land tenures, and to a certain extent in its customs.

28311. When any general matter is under consideration, is there any provision in the Secretariat for an officer, as Secretary, to represent any peculiarities which may exist in Oudh so as to prevent them from being overlooked?—There is nothing formally laid down, but it is a matter which is not overlooked.

28312. In the Central Provinces they have, as Secretary, a man who has been trained in Berar, and any question likely to affect Berar is referred to him for his opinion?—Most of the men here have served both in Agra and Oudh and have a knowledge of both provinces.

28313. Is there any danger of the special circumstances of Oudh being overlooked?—I think not; Oudh officers would invariably be consulted in any matters of importance, and we always take care to select officers so that each part of the province may have its say, but there is nothing laid down formally.

28314. It has been stated by witnesses that such and such a policy depends entirely on the views held by the Lieutenant-Governor for the time being; is not a form of Government which lends itself to fluctuations somewhat defective?—It may be defective in that respect, but of course it is very difficult to say whether that defect is more than counterbalanced by the advantages of having a Lieutenant-Governor as an individual Government.

28315. Might it be an advantage to associate the Board of Revenue more closely with the Lieutenant-Governor, as conducing to stability and continuity?—It would be of advantage to associate the Board more closely in the direction which has been indicated in the proposals of the Local Government, that is to say, to extend the system of unofficial representation so that the Board of Revenue can be consulted less formally than at present on revenue matters.

28316. Would you approve of allowing the Board of Revenue to deal with all minor matters of general administration going up to Government, leaving major matters to be referred to the Lieutenant-Governor himself, but giving the Board a consultative voice?—I do not think the Board of Revenue have time to go outside their province of revenue.

28317. Apart from their duties as a Court of Appeal, what do they do?—Their duties as a Court of Appeal take up a large portion of their time.

28318. But not all their time?—A very large portion of it. The Court of Wards' work is very heavy in this province and is an important matter; there are about 180 Court of Wards' estates in this province with an income of over a crore of rupees.

28319. Might not that part of their work be probably done by the Commissioners?—Not the whole of it; a good deal has been done in the way of delegating power in Court of Wards' matters to Commissioners, but in this province—especially in Oudh—the encumbered estates are very large, and the work connected with them is very important in the way of financing and raising loans. In matters of that sort the Board are in a better position to obtain good terms than a Commissioner would be.

28320. What is there that a Commissioner cannot do that the Board of Revenue can do; a Commissioner is a man of great experience, he goes about a good deal and sees things for himself more than the Board of Revenue does, and he is a man of some considerable seniority with some 25 years' service?—Yes.

28321. Then what is the objection to allowing him full authority over the management of Court of Wards' estates?—In the matter of taking over heavily encumbered estates, it is desirable that there should be some sort of uniformity and Commissioners' ideas in that matter would probably vary considerably, so that it would cause considerable discontent to have an estate taken over by the Government under the Court of Wards in one division on certain conditions, and an estate in the neighbouring division with smaller debts which the Commissioner would not take over at all.

28322. Why should not the general management be handed over to the Commissioner?—It is largely in his hands at present.

28323. But supposing the Board of Revenue could be relieved of a good part of its present administrative duties, would you object to the suggestion of giving them a share in the work of the Local Government, to some extent as a Council, with power reserved to the Lieutenant-Governor to have his own way on major matters?—Then they would practically be a Council with appellate work thrown in. I see some objections to appellate work remaining in the hands of a Council. From time to time the members of the Board in this province have advised, their advice has been taken, and they have been used in connection with other subjects besides revenue. For instance, in the matter of education the members of the Board have from time to time been deputed to preside over committees and report on certain matters, and the Lieutenant-Governor frequently consults members of the Board on matters outside their own province as senior and experienced officers.

28324. With good effect?—I think so.

28325. Does the Board tour?—Yes.

28326. As a matter of fact, does not the Board of Revenue very much overlap the Commissioners?—It certainly does overlap, but there are difficulties again. The appellate work takes up a very large portion of the Board's time. In certain respects it does not overlap; for example, a Commissioner now has very little to do with excise work.

28327. I am only referring to the duties of a Commissioner; does not the Board of Revenue often overlap him in his duties?—It controls the Commissioner; it is another controlling authority between the Commissioner and Government—you might get rid of the controlling authority of course.

28328. But you have all the disadvantages of a fifth wheel?—Yes, but there are other advantages.

28329. Would it not be a good step to relieve the Collector if possible of the charge of municipalities, especially in large towns?—It would depend on the way in which it was done. It depends altogether upon what you substitute for him.

28330. But as far as the Collector goes, it would be a great relief to him?—It would undoubtedly relieve him of a large portion of his work.

28331. Why should not appeals from tahsildars go to Sub-Divisional Officers in revenue matters?—A Sub-Divisional Officer might not be qualified to deal with appeals, and I do not think it would be a good thing generally.

28332. Would he not be qualified if he is considered to be qualified for the charge of a sub-division?—But appellate work is another matter, and I am a little doubtful about it.

28333. It has been suggested that the Collector should be relieved of the task of counting the cash and stamps monthly; would you be in favour of making that change?—It would be a good thing to do if a satisfactory substitute could be found.

28334. Or if that were not possible, would you approve of a rule allowing the Collector to do it on his own days?—I think he might very well delegate the duty monthly to some one else and occasionally verify it himself.

28335. Do you keep any record of the knowledge of every officer with regard to language?—No, there are no separate records kept.

28336. Have you practically no means of telling whether a man has set himself to study the language or not?—Most of the men who give themselves to a study of the language go up for examination and rewards.

28337. Is it your experience that men who have a good knowledge of the language worry themselves about these merely literary examinations?—It is a matter of knowledge largely who the men are who know the language.

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28338. If a man does set himself to getting a thorough command of the language, is it any help to him in regard to promotion in any way in his career? —It would be weighed undoubtedly. In this province we have practically only one language.

28339. And most men speak it for practical purposes? —The language difficulty is not a great difficulty.

28340. (*Mr. Dutt.*) I did not quite catch your answer as to whether the members of the Board of Revenue might be made colleagues of the Lieutenant-Governor, retaining also in their hands the present revenue appellate work?—It is a large question to which I did not give a very definite answer.

28341. You say that the judicial work of the members of the Board of Revenue is divided according to specified areas—do you mean the appellate work?—I mean rent and revenue appellate cases.

28342. And the other work is divided by departments?—Usually by departments, occasionally by divisions. All the Bundelkhand work goes to one member.

28343. Does the land revenue work go to one member and the miscellaneous work go to another member?—Yes.

28344. You say in selecting candidates for Deputy Collectorships the members of the Board of Revenue usually sit in consultation. Is the Board of Revenue the authority to recommend men for appointment as Deputy Collectors?—Not invariably; direct appointments to probationary Deputy Collectorships are made on the nomination of the Board of Revenue and by Commissioners, and the Government decide which nominee is to be accepted. There are only a certain number in the year, and the decision rests with the Government; there is no recommendation by the Board in that case. They recommend for appointments by promotion.

28345. All first appointments are made by the Lieutenant-Governor on the nomination of the Commissioners?—And of the Board—that is the first appointment, in the case of direct appointment, which is rare; the ordinary course is that a man is promoted from tahsildar.

28346. Is it a good system to take men generally from the rank of tahsildar?—That is a matter which at present the Lieutenant-Governor has under his consideration—whether the system of direct nomination should not be extended.

28347. Has the Divisional Commissioner at present sufficient control over the Public Works in his division? —I think not.

28348. Would you like to give him larger powers of control over the Public Works Department so far as the works in his own division are concerned?—Yes.

28349. Has he sufficient control over the work of the Police Department within his own division?—I think so.

28350. You do not suggest any other powers in the way of hearing appeals in police matters?—I think not.

28351. We were told that Sub-Divisional officers in the Agra province generally live at the headquarters of the district; is it the same in Oudh?—Yes.

28352. Would they be a little more in touch with the people if they resided in their sub-divisions the greater part of the year?—They do reside in the sub-divisions during the time they are in camp, that is four or five months in the year, but the districts are not large in this province and the communications are good, so that in many cases they are more in touch with the people by living at headquarters than they would be by living out in the sub-divisions.

28353. Would it be more convenient if they lived within their sub-divisions?—In some cases it would, and in some not.

28354. Is there a general tendency to have more Sub-Divisional Officers living in their sub divisions than before?—I cannot say that there is a general tendency; there have been isolated cases lately. It is not a matter which comes up frequently.

28355. What is your opinion with regard to the Government of this province passing a general Act of delegation by which they would be empowered to transfer any of their statutory powers to any of their subordinates without amending Acts?—Probably an Act of that sort would have to contain certain reservations.

28356. Supposing some powers are vested in the Local Government, say, in the matter of taxation, which may be imposed only under the sanction of the Local Government according to existing Acts, and the Local Government desired to transfer those powers to the Commissioner and the District Collector, ought they to do it by bringing in an amending Act, or should they be empowered by a general Act of delegation to transfer those powers simply by a Gazette notification?—I am inclined to think that a general Act of delegation with reservations would probably be the simplest and best way of doing it, but it is largely a legal question and a number of Acts would have to be examined.

28357. Would you like to have a legal opinion before giving an answer?—I certainly should like to examine the matter very carefully before any action was taken.

28358. Supposing the Government took such power to transfer any of its legal powers to subordinates, do you think such an Act would be liked by the people generally?—I have some doubt whether it would be liked by the people generally.

28359. Is there any necessity to curtail the present rights of appeal to the Government of India?—I do not think so.

28360. As to appeals to the Local Government. You say that certain rules are under consideration as to allowing certain appeals? Beyond that do you propose to curtail the existing rights of appeal?—No, except by raising the limit from Rs. 30 to Rs. 50.

28361. You speak of the excessive rent and revenue case work which the Collectors have to do?—Not so much the Collector as the Deputy Collector and Joint-Magistrate.

28362. If these rent cases are cases between landlords and raiyats, might they not be transferred to the Civil Court, as they are in Bengal?—I think not.

28363. They ought to be kept in the hands of the revenue authorities?—Yes, very decidedly.

28364. Are any traces of the old village communities left which could be utilized at the present day?—I very much doubt it; it is possible in parts of the province, but the tendency is to break up the village community, or rather it breaks itself up.

28365. If there were parts of the province where it was possible to reconstruct them, is it desirable to do so and to give them some authority with regard to their own village concerns?—I doubt if much in that way could be done: it would depend altogether on the particular powers proposed to be given them.

28366. Have you village Munsiffs now? — To a certain extent only. They have been tried in certain selected tracts, but it is not so much a question of selected villages as a selected Munsiff, and where you get a suitable man it depends upon him, not on the village.

28367. Have you Honorary Magistrates?—Yes.

28368. Is it possible to invest the headman and probably two or three other leading villagers with small judicial powers to dispose of petty disputes in their own villages?—I doubt if that could be usefully done in the existing state of society.

28369. Supposing the District Board wanted to give a lump sum of money to a particular village for improving its supply of drinking water, or for drainage or some other purpose, could that money be made over to the leading men of the village to carry out their own work?—In certain villages it might; it is altogether a case to be considered on the merits; it would depend on the feeling of the village and whether they were at one.

28370. Generally speaking, do you see your way to delegating any of the humbler powers of administration to the people in villages or in groups of villages? —No, I do not think so.

28371. Do you see your way to investing the people with any kind of power to administer their own affairs?—No, I do not see my way to investing the village communities in this province with any power.

28372. Or to attempt to organise or re-organise them?—I think it would be an extremely difficult matter to re-organise them.

28373. Should an attempt be made to do so?—I do not think there is sufficient justification to make an attempt under the existing conditions.

28374. (*Mr. Hichens.*) The Lieutenant-Governor raises a certain amount of objection to the system of recruitment. The point of his criticism, as I understand it, is that the number of officers in the junior posts of the superior departments bears no particular relation to the number required, but only a relation to the number of senior posts which will be empty later on. Do you share the Lieutenant-Governor's objection to the present system of recruitment?—Yes. I consider that the Joint-Magistrates are insufficient in this province.

28375. Are you prepared to face the alternative of a block in promotion? — No; I think it might be remedied. If you create a larger number of posts at the bottom you might raise the pay, and my own idea is that the Joint-Magistrate might be made more of than he is at present, and might relieve the Collector of a good deal of his work. Joint-Magistrates used in that way might be given increased pay, which would remove the block.

28376. Do you mean that a Joint-Magistrateship should be considered as one of the higher posts?—Put in that way, yes—it is a technical matter.

28377. Broadly speaking, does it come to this, that if you increase the lower posts you must increase the upper ones, or if you increase the lower posts and not the upper ones there will be a block, and your remedy is that you would increase both?—Yes, except that the Joint-Magistrate, who would be a Joint-Magistrate in reality, would help the Collector, and he would also do some Joint-Magistrate's work which is at present done by the existing Joint-Magistrate, so that it would not be quite an increase of both.

28378. But you would somewhat lower the standard of the higher posts?—That is a possible suggestion.

28379. You would not be prepared to face the alternative of appointing a large number of men to lower posts, thus making a block?—No, I think not.

28380. The remedy then would be worse than the evil?—Yes.

28381. When Indian Civil Servants come out first are they sent to a district under the charge of a Collector?—Yes.

28382. Does he in practice look after them pretty carefully?—An endeavour has been made of late years to send them to a Collector who will look after them—we pick the Collectors as far as possible.

28383. Do they understand clearly that they have to do that?—Yes, I will not not say it is done in every case, but that is the line of policy.

28384. For the first year are Assistants allowed to spend most of their time learning the language?—In learning the language, the Codes, and the law.

28385. After that year what do they do?—They try petty criminal cases, very often within the year; it depends on how long a man takes to pass his examination. After about eighteen months or two years, as the case may be, he gets full power and becomes useful as a Sub-Divisional Officer. As such he does magisterial work and revenue work.

28386. Is not the revenue work largely under separate officers?—Not at all in this province; the Sub-Divisional Officer is the officer for magisterial work and revenue work and for the general administration of his sub-division.

28387. Is the excise collected at headquarters, or at the headquarters of the sub-division? — The actual collections are made both at headquarters and at the headquarters of the sub-divisions, *i.e.*, at the *tahsils*.

28388. Would a junior officer have a fairly wide experience?—Yes, he has full opportunity of learning almost every branch of his duties with the exception of the collection of the land revenue, and that is a matter which the present Lieutenant-Governor is considering as to whether he should not be given more power. The Collector keeps that entirely in his own hands, but the Lieutenant-Governor is inclined to think that it might be delegated to Joint-Magistrates at any rate within the sub-division, largely as a matter of training for future responsibility.

28389. It has been suggested that it is desirable if possible during the earlier years to transfer younger officers for a time to another province; is that feasible?—One difficulty of course is that in this province we want the men as soon as we have full power to use them, and we cannot spare them here.

28390. You agree, up to a certain point at any rate, that it is desirable to widen a man's experience, but the question in your opinion is whether the game is worth the candle?—It is worth consideration. I am not prepared offhand to give a very definite opinion.

28391. Would you say that the training of an officer is preliminary to his becoming a Collector?—I think so.

28392. That is what he has to work up to, and his training is such as to fit him for that post?—I think so, generally speaking.

28393. I suppose for that purpose he would want a fairly wide experience?—The wider the experience the better.

28394. You say that the Accountant-General in future might usefully fulfil two functions, one watching over the interests of the Government of India and the other watching over the financial interests of the Local Government; is the function a novel one and one that is not carried out to-day?—It is not altogether novel; in the latter capacity he would be under the control of the Local Government.

28395. Do you mean that to-day the Accountant-General does not watch over the financial interests of the Local Government?—My suggestion was more that, in future, as the financial interests of the Government of India are more defined, the Local Government would be able to direct the Accountant-General in his control of the officers under it.

28396. Do you mean that the Local Government should be empowered to make audit rules in regard to its own finances?—In regard to matters in which the Government of India would in future not take so much interest as they do at present. The suggestions in the Financial Department are that the Local Government, which now has a permanent arrangement as regards revenues, should have considerably more power in the future and that the control of the Government of India should only extend to certain matters. There would be then a wider field for the Accountant-General in future, and within that field I suggest the Local Government should have some power to prescribe the checks which he exercises, or rather to stop the Accountant-General exercising more detailed check than the Local Government considered necessary.

28397. Is it not important that the Accountant-General should be an independent financial critic?—Yes, as an auditor.

28398. And you would rather deprive him of that independence if you claimed the right to frame all the rules which governed his action?—But not as regards the audit of the Local Government's accounts—I meant as regards expenditure by officers subordinate to the Local Government. He would be an auditor as far as they were concerned.

28399. Do you mean the regulations governing the check which he considers necessary?—Regulations governing the check which is exercised over the financial proceedings of officers subordinate to the Local Government.

28400. For example, if the Accountant-General said he required a certain return in a certain form and that without it he could not possibly certify the accounts, should the Local Government have the power to refuse it?—If the Accountant-General put it as strongly as that the Local Government probably would not refuse to agree to it.

28401. Should the Local Government have that power?—In a case of that sort if the Accountant-General put it as strongly as that, there might be a reference to the Government of India.

28402. So that it would be only in matters where the Accountant-General and the Local Government agreed?—Or in which a difference of opinion was not very strongly marked.

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28403. With regard to financial decentralization, I gather from the Government minute that some stress is laid upon that and there are a large number of instances given, but with regard to some of the broader points, is your opinion that the Government of India should not concern itself with matters of detail?—Speaking widely, certainly.

28404. When one comes to matters such as travelling allowance, would it be enough if the Government of India laid down a broad principle and left it to the Local Government to carry it out?—No, travelling allowance is a matter on which there should be more or less detailed rules.

28405. On what ground?—There should be rules governing general principles; it is a matter affecting the officer personally, and perhaps there should be a general principle laid down, and a matter of that sort must to a certain extent deal with detail.

28406. Might the general principle be that travelling allowances are to cover travelling expenses?—Yes.

28407. Could not the Local Government deal with that?—Yes, I think so.

28408. They would have the ability to frame a set of rules which would achieve that result?—Yes.

28409. At any rate you see no objection to leaving them to decide a matter of that sort on the ground that the general principles could be laid down, and the Local Government should be trusted to carry out the rules and the spirit of them?—Yes.

28410. Is that a principle that would work, namely, that the Local Government should be trusted to carry out the spirit of the principle laid down?—I think so.

28411. Would you go as far as to say that the Accountant-General could report any exceptional cases to the Government of India?—Certainly.

28412. So that the Government of India could see the trend they were taking, and if necessary, exercise the power of control at a later date?—Certainly.

28413. That being done, would you get sufficient uniformity for all practical purposes in regard to these matters?—Then the question comes in of the principles laid down by the Government of India.

28414. I have given you the principle in that particular case?—I think it is worth trying at any rate.

28415. Are there not many other regulations which are laid down in great detail in the Civil Service Regulations or the Civil Account Code; would you be prepared to say generally that, where a general principle could be obtained, the Local Government might be trusted to frame regulations in the spirit of it?—I think it certainly could.

28416. At the present time is a certain amount of uniformity in regard to the salaries of certain classes of officers insisted on by the Government of India?—Take for instance the case of Civil Assistant Surgeons?—Yes.

28417. Is that uniformity desirable?—No, I do not think it is.

28418. (*Chairman.*) Do you mean that uniformity of payment with regard to that particular class is not desirable?—I meant, generally speaking, it is not altogether desirable because the circumstances of different provinces vary so largely.

28419. (*Mr. Hichens.*) Objection has been made that if in one province the salaries of a particular class were raised, the same class in another province would clamour to have their salaries raised, and that the clamour would be so great as to be insurmountable; do you agree with that?—There is a tendency in that direction certainly, but it is a tendency which can be resisted.

28420. Supposing that objection was made to you what would your course be; would you examine the circumstances of the particular case and ascertain whether the pay given was reasonable?—I think so, not altogether without reference to other provinces; one would consider the circumstances of other provinces, and cases of the sort have come up.

28421 The circumstances of other provinces might be a valuable guide?—They might, in fixing the scale in our own province.

28422. Your desire would be not to pay the least you could, but to pay a fair wage?—Yes, not an excessive wage; for example, a man living in Calcutta might demand a higher wage than a man living in Allahabad.

28423. So far from being a disadvantage it might be a positive advantage, because it would enable you to get comparative standards whereby to gauge the real truth?—Yes, if the pay was an index of the circumstances of the provinces.

28424. Is there any special necessity with regard to restriction on pensions?—No.

28425. Would you say that pensions, which are entirely borne by provincial funds, might be treated in the same way, namely, that each provincial Government might have its own rules and regulations?—I think so; they are charges of the Local Government.

28426. Are you in favour of a District Board levying a railway cess?—It is a matter on which I prefer not to give a personal opinion, as I have not considered it.

28427. (*Mr. Meyer.*) It has been suggested to us that the Local Government should be allowed to make loans for industrial and commercial objects; have you any idea what sort of objects are in view?—Great development of industry has taken place since I was Financial Secretary, but I should instance the lending of money to start a weaving school.

28428. Someone wants to start a match factory, for instance—is the Government to lend money to help them to do it?—It might be the case.

28429. Would you not get into rather deep water? If you started lending money to one man, might you not get half a dozen men coming and asking for loans?—Probably.

28430. Is that a practical policy?—I have not specially considered the case and have not formed any opinion which is worth giving.

28431. May I take it that you are not in favour of it?—I am not at all prepared to say that I am.

28432. You mention the desire to have an undisturbed allotment in each current year's provincial budget; was not the cutting down of your figures by the Government of India in the interests of accurate estimating?—Yes.

28433. Taking a series of years, was it not absolutely justified?—In the interests of accurate estimating it was justified.

28434. As a matter of fact, if you look simply at the interests of accurate estimating, might not the Government of India have been exposed to the reproach that they had not cut sufficiently?—I am not quite sure about that; the deductions were large, but they might have been justified taking a series of years.

28435. Can you not reappropriate from one head to another within your total provincial budget?—That is so.

28436. Do not the Government of India tell you that if you cannot do that, they are always willing to consider a further reappropriation from the balances; are not those the usual terms on which a budget is sent back to you if there have been considerable cuts made in your figures?—I do not remember any specific reference to balances in the letter at all in my time.

28437. Is your proposal simply to save the Local Government the trouble of going up to the Government of India with a reappropriation request?—No, it is not a matter of reappropriation entirely. In time of stress it is very difficult to find a head from which to reappropriate. You do not want a large reserve at all; it is very difficult to specify a head at certain periods of the year for reappropriation.

28438. Is it not quite against the budget principles which have been hitherto adopted; is not the whole expenditure classified under particular heads?—Yes, but the action of the Government of India in cutting the provision so fine under certain heads renders it so much more difficult to reappropriate than it ever was before, and the difficulty has been acute.

28439. How many cases of reappropriation did you have in the course of a year when you were Financial Secretary?—A very large number that one was able to meet.

28440. Do not the provincial balances exist to meet unforeseen charges?—The practice hitherto has not

been to address the Government of India asking that money may be spent out of the balances, except under somewhat exceptional circumstances.

28441. Is it not the fact that the provincial balances which, as you know, require to be kept up to a certain minimum standard, exist for the very purpose of enabling you to tide through some unforeseen calamity such as famine?—That is so.

28442. Therefore if that came upon you, you could at once go to the Government of India and ask permission to draw from your balance?—In the case of an unforeseen calamity, certainly.

28443. Was not the real trouble that the Government of India, necessarily, can only make a lump cut, say, of a couple of lakhs, under education, and that had to be split up by the local authorities under a number of sub-heads, and lately the Government of India, recognising that difficulty, said: "Your sub-head allotments may stand as they were, but we will make a cut of two lakhs which you will enter in your budget as probable savings, and there will be the Accountant General to look after the expenditure and advise you, so that you can keep within the reduced total or make a reappropriation"? The Financial Secretary in the Central Provinces told us that in his opinion that met all the difficulty—would that be your view?—I think it would go a long way to meeting the difficulty, certainly.

28444. You mention transfer to Foreign Service as one of the matters in which Local Government might have a freer hand?—Yes.

28445. Is not the object of the Foreign Service rules two-fold—to prevent men getting a British Pension after a very few years with the British Government, and to prevent Native States and other foreign employers from being fleeced and having in their ignorance to pay more than the market value for a man's services? Bearing those matters in mind, is it not desirable to retain restrictions, of some sort at any rate, upon transfers to Foreign Service?—The restriction should be maintained, but the application of the restriction might be handed over to the Local Government more largely than it is at present.

28446. Are not a good many of the men who go over to Foreign Service men of the Imperial Services who are ultimately retired to England?—Yes.

28447. If the Local Government is liberal in regard to their pensions and other matters, will not the bill fall on the Government of India?—In a case of that sort it is a different matter; I was not referring so much to men in Imperial Service as to the subordinates.

28448. Would you discriminate as between the Imperial and Provincial Subordinate Services in the sense of the personal status of the men?—Yes.

28449. With regard to an Imperial Service Officer, should the sanction of the Government of India be obtained unless you have power to transfer him under present rules?—Yes, I think so.

28450. With regard to your supply as to the Accountant General being under the Local Government, is your desire that the Local Government should be able to relax restrictions as against their subordinate officers?—Yes, in cases in which the Imperial Government will not directly interest themselves.

28451. Are not the Imperial Government interested as co-sharers in some important branches of revenue?—Undoubtedly.

28452. Would you apply it there?—It is not easy to draw a distinction between shared heads and other heads in a matter of that sort.

28453. Do you refer to such matters as dispensing with vouchers for expenditure?—No, there might be cases in which they could be dispensed with; under the Famine Code they are dispensed with in certain cases.

28454. Are you referring to counter-signature for travelling allowance and so on?—That is a small instance.

28455. Do the Government of India lay down any general rules about these matters; is it not very largely a matter of provincial arrangement?—The Accountant-General lays the rules down as to the certificates required.

28456. Is it for instance a matter in which the Government of India has laid down any rule that the Collector shall, or shall not, countersign the travelling allowance of the District Superintendent of Police?—That I cannot answer.

28457. Are not the restrictions which you have in mind matters which the provincial Government can deal with now, and if the provincial Government chose to relax these counter-signatures, they could, unless of course they reached a point at which the Accountant-General thought there was real danger, when he would ask for a reference to the Comptroller General?—They are outside the Code.

28458. Your rules are contained in local codes and manuals and not in the Civil Account Code?—My impression was that the matters referred to are not contained in the local manuals, but are in the rules issued by the Accountant-General under the authority of the Government of India.

28459. (*Chairman.*) When you say that they are not contained, do you mean they are not obligatory?—Yes.

28460. (*Mr. Meyer.*) Are you aware that the procedure differs in various provinces, and that in one province some of these restrictions have been done away with by the Local Government?—I have not elaborated my suggestion at all.

28461. Then, at the present stage, it is rather a crude suggestion?—Yes; I have not examined closely the precise matters in which this Government has taken objection to the control of the Accountant-General; it has only been stated generally, and it will be a matter to be worked out afterwards. I was not aware that the matters were within the control of the Local Government.

28462. When you take proposals for decentralization and delegation in hand, is it not very desirable to consider in the first place what obstacles there are in the way of doing what you want done—that is to say, to consider whether you can do it yourself or whether you are restrained by some order of a superior authority or not?—Certainly.

28463. With regard to the travelling allowance question, would your principle be that the only general rule on the subject ought to be that travelling allowance must cover actual travelling expenses?—I said that the Local Government could be trusted to carry out that principle if it was laid down.

28464. What are actual travelling expenses?—It is very hard to define them.

28465. One officer might consider that taking his wife with him was a legitimate expense?—I quite agree that it is extremely difficult to define what actual travelling expenses are. I understand the present rules laid down by the Government of India are framed on the understanding that an officer should not make a profit from them.

28466. Then another officer might consider that he was entitled to be reimbursed his eating and drinking expenses?—He might, but the Local Government could be trusted in that.

28467. Then another officer might think that he was entitled to travel with a piano and all sorts of other paraphernalia?—I doubt whether he would in this province.

28468. Must not this apparently simple rule that travelling allowance should cover actual expenses, and presumably not more than cover them, in actual practice involve a certain number of definitions as to what are legitimate expenses to be covered and what are not?—Yes, undoubtedly, and that is my point; it would require a good deal of detailed application.

28469. Who is to lay down the general definition—the Government of India or the provincial Government?—There again I am inclined to think it involves a certain amount of detail.

28470. Do you mean that the Government of India must lay down some such general principle as that a man's wife and children are not to be taken into account in his travelling, but if he prefers to take them, they are luxuries, so to speak?—I think the Local Government could be trusted as to that also.

28471. Do you regard that as a general principle, which the Government of India should say must be

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maintained, or one which Local Governments might vary or depart from at their pleasure?—In that particular it is a principle, I think, common to the whole of India.

28472. Is it a principle which the Government of India should lay down as one which the Local Governments must observe, or is it one which each Local Government might keep or break at its pleasure?—There should certainly be uniformity.

28473. In the same way, as regards an officer going into camp, would you say that he must only carry such paraphernalia as are necessary for the discharge of his duties and elementary comforts, and that that is a general principle which the Government of India has a right to lay down for India as a whole?—That again is a matter in which there is no reason why there should be any difference between individual provinces.

28474. Therefore there must be some general rules as to travelling allowance laid down by the Supreme Government?—That is practically what I intended to say before; the general principle would have to be enunciated, and there would have to be certain detailed interpretations of it.

28475. You would not of course go so far as to say that each officer who travelled might be trusted to send in his bill, and that no one should trouble further about it?—Certainly not.

28476. As regards greater latitude in the matter of pensions, have you studied the increase in the pension charges?—I am well aware that the charge increases year by year in the provincial lists.

28477. Is it not necessary to deal with the question of pensions rather stringently?—I quite agree it is.

28478. Is it not a matter in which, not merely the Government of India should control the Local Governments, but the Secretary of State should control the Government of India?—Yes.

28479. As regards local loans, does your Government desire to give Local Governments power to increase the currency of those loans beyond twenty years, and do you agree?—I am a little doubtful about the suggestion as an ex-Financial Secretary.

28480. Is not increase in local borrowing a great danger in Europe?—I understand so.

28481. And is it not desirable to prevent an accumulation of local borrowing in India as far as possible, thus counteracting the tendency to throw a burden on posterity?—Yes, I am doubtful about the suggestion.

28482. As regards loans to agriculturists, are you aware of the fact that an equated payment for wiping out a loan in thirty years is relatively less than one for twenty?—Yes.

28483. Therefore the burden on the agriculturist is not much greater, and the money comes back and is available for loans to other agriculturists?—Yes.

28484. You have had a great deal of experience in excise. You were Excise Commissioner in this province, and you were a member of the Excise Committee?—Yes.

28485. The Lieutenant-Governor appears to be rather against the recent appointment of an Inspector-General of Excise, while your Committee unanimously said that there would be considerable advantages in it?—Yes, there was a unanimous recommendation that there should be an Inspector-General of Excise. My own personal opinion, which I did not press, was that it might be tried as an experiment for a few years, without recommending that it should be a permanent post. I was not quite prepared to go as far as the other members. I should have preferred to try it as an experiment for a few years.

28486. The Committee at any rate found, and said so pretty strongly, that in each province the tendency was to get into a thoroughly provincial groove in the matter of excise?—Undoubtedly.

28487. And that it was most desirable that the methods should be kept in touch with each other?—Certainly.

28488. Have you any opinion with regard to Imperial Inspectors-General as apart from that of the Lieutenant-Governor? Generally speaking, do you think they are of use?—My opinion in that matter certainly coincides with that of the Lieutenant-Governor.

28489. Of course they are advisers of the Government of India, but are they used as advisers to the Local Government also?—Probably not so much as they might be.

28490. Do you think they might well be?—They might be made more use of in that way than they are at present.

28491. There is a recommendation made that the present rule which allows you, without reference to the Government of India, to appoint a provincial officer for temporary charge of a district which is ordinarily held by a Civilian should be extended from a period of six weeks to three months. You are aware, I think, that even in regard to the regular listed posts you are precluded at present from confirming an officer as a Collector or Judge, or something higher, without reference to the Government of India?—Yes.

28492. Is that necessary?—I see no reason offhand why the Local Government should not have the power.

28493. Are you of opinion that it is necessary to take the orders of the Government of India as to the appointment of a member of the Board of Revenue?—It might be desirable that the orders of the Government of India should be taken in a matter of that sort, at lease in the case of a province under a Lieutenant-Governor. I have not any very definite opinion.

28494. You mention some sections of the Municipal Act which require that the special sanction of the Government of India should be given to such matters as the disestablishment of a municipality and so forth, which you desire to see done away with; is there not a similar provision in the District Boards Act of 1906, which says that except in certain specified districts you cannot release an area from the operation of the Act without the sanction of the Governor General in Council? Assuming there to be such a section, do you think it at all necessary?—No, I do not see any reason for it.

28495. As regards the members of the Board of Revenue, have you cognisance of the system of unofficial noting in Bengal?—I do not know how far it takes place in Bengal.

28496. The essence of the system is, as far as the superior officers are concerned, that the Secretary to the Board notes first, then the Revenue Secretary, then the member of the Board, and the matter then goes up to the Lieutenant-Governor, the senior officer having the last say. Is it a system of that sort you have in mind, when you say you desire to bring the Board into closer connection with the Local Government?—I meant something of that sort.

28497. Would it not lead eventually to the abolition of the Board's office as a separate office; is there any use in having two preliminary notings?—Yes, it would lead to an increase in the Secretariat, and a diminution in the Board's office.

28498. Would you be in favour of that?—I am not prepared to say I am in favour of it, but that would be the result.

28499. Are there not a very large number of appeals to the Board of Revenue?—Yes.

28500. Are they largely second appeals?—Yes, largely.

28501. Do they arise very much from the fact that a first appeal from an order by a Sub-Divisional Officer in a rent case goes straight to the Commissioner, and therefore the second appeal goes to the Board of Revenue?—That is so.

28502. Might not the work of the Board and of the Commissioners be diminished largely by allowing Collectors to take these appeals?—That has been practically the case in certain districts where the Collectors have been delegated the powers of the Commissioner to hear appeals, and if Collectors had time to do it, it might be done more extensively.

28503. It is quite possible that it might put extra work on to the Collectors, but in the meantime it would relieve the Board of Revenue and Commissioners very materially?—It would certainly.

28504. Because the number of second appeals is not by any means so numerous as the number of first appeals ; but it would give more work to Collectors, and that is your objection to it?—Yes.

28505. Not that the Collectors are unfit to do the work?—No ; it is a question whether it should not be given to selected Collectors.

28506. If a man is not fit to hear an appeal from his subordinates on revenue matters, is he fit to be a Collector at all?—I would not like to go as far as that ; that is putting it a little too extremely. I only say it is a question for consideration.

28507. *Primâ facie* you think it might be given to Collectors but for the time objection?—That is the great objection, undoubtedly.

28508. Similarly there is a good deal of work which Collectors are doing which might be delegated in turn to Sub-Divisional Officers and tahsildars?—Yes.

28509. Therefore the Collector, having got more work on one side, would be relieved on the other?—Yes, then you get to the Sub-Divisional Officer.

28510. Has the District Magistrate to hear all the appeals in the district?—Yes.

28511. Are you aware that the Sub-Divisional Magistrate in Madras and Bombay takes appeals from his subordinates?—I see no reason why the Collector should not get rid of his power of hearing criminal appeals.

28512. And the Sub-Divisional Magistrate might do the work as a matter of course?—Or a Joint-Magistrate.

28513. Might not any Sub-Divisional Magistrate take appeals in his own sub-division?—That I feel a little more doubt about, but a certain number could.

28514. Are others not competent?—I think the others might not be competent.

28515. Should a United Provinces officer be written down as a less competent person than the Madras or Bombay officer of similar standing?—How the system works in Madras and Bombay I have no first hand knowledge ; in many cases I certainly think the power could be delegated.

28516. Has not the general tendency in this province been to centralize?—It depends largely on who is the Head of the province, but it has been so in certain cases, no doubt.

28517. Even the Board of Revenue cannot remit land revenue now?—No.

28518. The Head of the Government is required to make that remission?—Yes, there is a legal difficulty in the way.

28519. Are there not many local Acts, and probably many orders of Government, which impose on a superior authority powers which might be delegated to an inferior authority?—Undoubtedly there are both local and Imperial Acts.

28520 With regard to the Court of Wards, you say that Commissioners have already considerable powers in Court of Wards matters, but have they really very much power? They can appoint a man up to Rs. 50, but not above Rs. 50?—Yes.

28521. They cannot deal with budgets except when the estate is over the value of Rs. 50,000?—They pass the budgets of estates under that amount.

28522. But if it is over Rs. 50,000 the Board has to do it?—Yes.

28523. You spoke of some difficulties with regard to encumbered estates, but setting that aside and taking an ordinary estate, cannot the Commissioner and Collector do the whole thing between them without any reference to the Board at all, or should the Board say whether the estate is to be taken under management and in the case of a big estate reserve some little amount of control, but with regard to an ordinary estate give the Commissioner and Collector a free hand?—As regards the management, I see no reason why they should not with regard to an ordinary estate, but the encumbered estates are very numerous and important in this province.

28524. It is necessary to have a member of the Board to deal with encumbered estates?—Not as encumbered estates, but in the case of large loan transactions and raising money to pay off debts it is an important matter.

28525. Would you be in favour of the Commissioner having his own Public Works budget?—I said I was in favour of a Commissioner having much more power over Public Works in his division than he has at present.

28526. It has been suggested that the provincial Public Works budget should be largely broken up (a certain amount of course must be kept at headquarters for emergencies and the largest works, but in other cases it might be split up into divisional grants) and each Commissioner would administer his own grant—have you anything to say against that?—I think a system of that sort might work well.

28527. The grant which the Commissioner has at present is very small?—Very small.

28528. Might the small grants he has now go down to the Collector?—Yes, the Collector might have a small grant for certain matters.

28529. Has the Commissioner any power to sanction grants for temporary establishments?—In certain cases, and it is proposed to increase that system largely.

28530. Might the Collector have that power?—It would be more difficult to ascertain the amount to be given to the Collector, and it would be more economical perhaps to give it to the Commissioner.

28531. Could any power to make permanent appointments be delegated to Commissioners or the Board of Revenue?—Yes, certainly ; but limits would have to be carefully defined.

28532. What would be your limit?—Rupees 25, or something of that sort in the case of newly created posts.

28533. Would you relax the provision by which the Collector has to obtain the approval of the Commissioner for filling every appointment in his own office beyond Rs. 50?—I think a suggestion has been made in that matter.

28534. The Commissioner cannot even appoint a naib-tahsildar?—No.

28535. What pay does a naib-tahsildar get?—It is going to be raised ; it is now from Rs. 50 to Rs. 75.

28536. And you have a great many of those officers?—A large number.

28537. Would it not be quite possible, if you had a divisional list, to secure a sufficient flow of promotion?—Yes, I think it would.

28538. You stated that it did not so much matter whether a tahsildar was transferred from one division to another because the language was the same, but are there not other matters to be considered ; is not local knowledge an important matter for a tahsildar?—Undoubtedly.

28539. Is not your land revenue system here in many districts splitting up into what is almost a *raiyatwari* system?—In the eastern districts it tends that way, certainly.

28540. Which means a great increase in revenue work?—Yes.

28541. Therefore the more experienced a tahsildar you have the better?—Undoubtedly.

28542. And again your revenue systems vary in different parts of the province?—Yes.

28543. Taking these things into consideration, is the transfer of a tahsildar from one division to another, save as a very exceptional matter, a thing to be regarded with equanimity?—Certainly not, and I do not think they are very numerous.

28544. Then is there any reason why a Commissioner should not appoint his own tahsildars and naib-tahsildars, subject of course to any general rules as to fitness and educational qualifications laid down by the Government?—The vacancies are not very numerous ; as regards naib-tahsildars the Commissioner might do it, but with regard to tahsildars I am more doubtful : the vacancies in a year would be very few, and I do not think very much would be gained by the Commissioner appointing them.

28545. You are aware that in Madras the Collector appoints them subject only to the veto of the Board if they think a man unsuitable?—In Madras perhaps they do not recruit their Deputy Collectors so much from tahsildars as we do here.

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28546. Are you aware that Commissioners in Bombay appoint their tahsildars?—No.

28547. Are you in favour of allowing the Commissioner, subject to general conditions of fitness laid down by the Local Government, to confer magisterial powers on officers?—I see no reason why he should not, subject of course to the conditions laid down.

28548. And possibly subject to the concurrence of the District Judge?—Yes. In my department a similar suggestion has been made with reference to revenue and rent powers,—that the Commissioner should confer them subject to certain restrictions.

28549. Who confers these now—the Board or the Local Government?—The Local Government.

28550. And you think the Commissioner should do so?—Yes, I think so.

28551. Does that require an amendment of an Act?—Yes.

28552. It has been suggested that in all matters where outside control is necessary, except of course in such a fundamental matter as the abolition or creation of a municipality or other local body, the Commissioner should take the place of Government, except in regard to some of the bigger towns; do you see any objection to that?—As regards the making of contracts with District Boards, I do see an objection.

28553. I am speaking rather of such matters as the appointment of members, the sanction of taxes allowed by law in municipalities, and a variety of other things,—with regard to such detailed matters of control which are now exercised, assuming them to be necessary, might not the Commissioner take them over?—He might largely do so, apart, of course, from the big cities.

28554. As to the big cities, you have spoken of a Collector being overworked, and yet it is in the big cities that you make him Chairman; would it not be better to appoint someone else and pay him?—That is being considered, and will be done in Cawnpore and Allahabad.

28555. It has also been suggested that it would be advisable to have a paid Secretary for District Boards, especially now that they are more concerned with education than they used to be—does that meet with your concurrence?—There is a good deal to be said for it if you can get a suitable man, but I am not sure that he would have his time fully occupied; you would have to pay a suitable man highly, and I doubt whether he would be fully occupied.

28556. Taking the case of a heavy Board, would you be in favour of it?—I certainly think in the case of heavy Boards it is worth trying.

28557. Up to two or three years ago District Boards had no real independent financial existence at all?—No.

28558. There was a certain amount of Land Cess levied in each district; the Government took part of what was raised in one district, and gave it to another on a general system of pooling?—Yes.

28559. But that is done away with, and every District Board is assured now of the amount of local cesses raised in its own area?—Yes.

28560. Have you not done that largely by means of the special grant given by the Government of India in 1905?—Yes.

28561. That grant has been distributed, therefore, among the poorer Boards that were formerly helped by your dipping into the pockets of their richer brethren?—Yes.

28562. Apart from that special grant, do you do much for them in the way of education?—The present system is to make a contract with the Boards, and they have the power to use the money within their contract, roughly speaking, on different objects.

28563. The contract includes the amount that the Board can raise locally, plus a certain amount given by the Government?—Exactly.

28564. And calling X the amount the Government gives over and above the Board's resources, every five years you fix X for each Board?—Yes.

28565. And you and the District Board have a little friendly tussle about it?—Yes.

28566. Having fixed X, can the Board do what it likes with it?—That is stating it rather too widely; of course it is subject to control, but roughly speaking they can apportion money at their disposal as they please.

28567. Generally speaking, do these grants bear a large proportion to the independent revenues of the Board?—I have not been Financial Secretary for two years, and things have altered so much that I really cannot give you figures, but they bear a considerable proportion, undoubtedly.

28568. We have been told that the Board has to spend a certain percentage of its income on education—is that so?—I am not sure that a percentage is laid down.

28569. And at the same time those Boards have no power apparently of filling up their own posts?—The Board is restricted in its power of doing so by a section in the Act. There is a section in the Act bearing on the matter, the precise language of which I do not remember; things have altered so much during the last two years that I find it difficult to give you precise information offhand. The section I think says that, subject to the provisions of the Act, the Board may employ, in addition to its Secretary, such officers and servants as are necessary and give them such pay as they think proper.

28570. Under the rules, is the Commissioner's sanction practically required to everything?—I think so.

28571. Is that necessary? If the Board is going to be a living reality, ought it not to have more trust reposed in it in the matter of these appointments?—I think the restrictions might be relaxed to some extent, certainly.

28572. Would you go up to Rs. 50, say, and might the Board be trusted to deal with appointments up to that amount?—If the Board is having increased powers in other directions, it might be done, although in the past it has been found necessary to exercise a certain amount of control over these matters.

28573. Do the same restrictions apply to municipalities?—No.

28574. Have they a fairly free hand?—They have a much freer hand.

28575. As regards the budgets, is it necessary to exercise full control over the Board's reappropriations during the course of the year?—The Board might be trusted to reappropriate freely.

28576. Are the District Boards made responsible for veterinary work in this province?—Yes, undoubtedly.

28577. Do they pay it?—Yes.

28578. Do they manage it?—The management is largely under the department.

28579. Would it be unfair to say that practically the department manages it for them and they have no voice in the matter?—I imagine that is very near the truth.

28580. That being so, would it not be better for the Government to take the task on its shoulders and regard it as a Provincial Service, relieving the Board of the cost of these things which they have no control over?—So long as the Collector was associated with the work, and the department did not work over his head, I see no objection.

28581. You had something to do with the abolition of Local Boards and Sub-Divisional Boards?—Yes, it was in the Bill that was prepared under my charge.

28582. Speaking as an individual, do you think that was a sound measure?—I think it was. We found that Local Boards did not serve any very useful purpose, and the districts are not large.

28583. Had they any power to speak of?—They had very little power, certainly.

28584. Human nature being what it is, is a man likely to take any particular interest in a thing in which he is a mere cipher?—No.

28585. Assuming that you gave District Boards larger powers, is it not a matter for consideration whether a smaller local area would not excite more local interest?—Yes, I am quite inclined to agree. It is a question for the future whether it might not be desirable to revive Local Boards; I see no reason why the question should not be reconsidered.

28586. You have said that you are in favour of making certain alterations as regards appeals. Would it not be a simpler plan to lay down, in the case of Government servants, that there should ordinarily be one appeal only, but a second appeal in the case of such a severe matter as dismissal?—It would be simpler.

28587. Do you see any objection to it?—In ordinary cases I do not see any objection.

28588. Who has the right, for instance, to dismiss or reduce a tahsildar?—The Board of Revenue, except that a permanent tahsildar can only be dismissed by order of Government.

28589. Would it be equitable all round that if he were reduced, there should be one appeal to the Local Government, and if he were dismissed there should be a second appeal to the Government of India and no further appeal to the Secretary of State?—I think so.

28590. What pay do your Joint-Magistrates get?—Rupees 700 to Rs. 1,000.

28591. With regard to the recruitment question, do you think that you could meet the difficulties under the recruitment scheme by appointing a few Joint-Magistrates, say at Rs. 1,100, and making them superior appointments?—It was not a definite proposal; it was a possible suggestion as one of the ways of meeting the difficulty that certain Joint-Magistrates at headquarters should relieve the Collector of part of his work for which he might get an increased allowance.

28592. But not so much as a Collector?—No.

28593. That would bring them under the present rules within the superior *cadre* and thus meet your difficulty?—Yes.

28594. (*Sir Steyning Edgerley.*) Would not the object you have in view be equally well met by having a certain number of supernumerary Deputy Commissioners?—That is expanding my suggestion slightly.

28595. There were some questions put to you with regard to the audit on behalf of the Local Government, but as a matter of fact does not the great trouble and nearly all the correspondence take place between the Accountant-General's office and subordinate officers?—Yes.

28596. And the Accountant-General's office has a sort of audit manual which has grown up, with which the Local Government has nothing whatever to do?—They have nothing to do with the rules issued by the Accountant-General.

28597. Or the regulations for audit in his own office?—No.

28598. Therefore unless the Local Government are specifically put in a position to control the Accountant-General as regards the provincial audit they could not alter these orders?—That was my suggestion.

28599. You must give power of control over the lower provincial audit before orders can be issued to the Accountant-General at all?—Yes; of course there is a distinction between the imperial audit and the local audit.

28600. Is there any very great difficulty? One is expenditure by a Commissioner and the other is expenditure by a Local Government?—The Local Government must expend through its officers, and there would be some difficulty in drawing a distinction.

28601. Would it be insuperable?—A distinction might be made, but I have not worked it out.

28602. When you lend an officer to Foreign Service, whether you lend an Imperial or Provincial Officer, is not full contribution for pension made?—Yes.

28603. So that, even if you lend an Imperial Officer, no charge as to subsequent pension falls on the Government of India; it has been all paid by the foreign employer?—I do not know how that would work out.

28604. That is the theory, at any rate, of the contribution?—Yes.

28605. As regards sending an officer to another province to see how the work is carried on there, might there not presumably be an arrangement made in the way of an exchange?—Yes, that might be done.

28606. And so you would not lose the services of an officer?—Yes, you would, because you would have an officer who was less useful for an efficient officer—you would lose part of the services of the officer.

28607. With regard to a general Act of delegation which I see the Lieutenant-Governor recommends, would not that be coupled with provisions requiring prior notification of intention and consideration of objections, and in such an Act would there be any cause for complaint by the public?—If in cases where the public was concerned notice was given, I do not see how they would have any reasonable cause for complaint.

28608. A notification under such an Act would draw the attention of the public to the specific point more completely than the ordinary Legislative Council procedure?—It would draw it quite as effectively.

28609. Are there any means by which at present Government can give loans at reasonable interest to Court of Wards estates?—No, except in exceptional cases.

28610. There has been a certain amount of evidence given pointing out that estates which Government thought it advisable to take under management have had to be relinquished because loans could not be negotiated on the market; would it be a good thing for the Government to help those estates?—In this province I do not know of any case of that sort; we have been able to finance our estates here largely by loans from other estates and also in the open market.

28611. Then there is an important principle stated that as we have these *quasi*-permanent settlements, the Local Government should have power to deal with all cases where their powers are not specifically restricted, and to delegate all its powers. Has not past theory been just the reverse, and are you in accord with that change of principle personally?—Generally speaking, I think so; it would require considerable working out to decide what power should be reserved.

28612. Are you in accord with the suggestion that a great many of the Acts which have been passed are unnecessarily stringent in requiring the sanction of the Government of India?—Yes.

28613. Have you had any difficulty in regard to the fees for Medical Officers attending on political personages?—Political personages in this province are very few, so that the question has hardly arisen; we have only two Native States.

28614. There is some complaint made as to the great growth of the returns as to crops and foreign trade and so on—do you endorse those complaints?—The complaints with regard to the crop returns are justified, and there were a number of unnecessary columns which the Government of India agree to dispense with on our representations.

28615. Have you any knowledge with regard to crop forecasts?—I have not much knowledge as to that. There was another question as to which information is required from the Director which came out more recently, as to the variations of the rate of wages in factories.

28616. Did not the Director of Agriculture send down asking you to consider a uniform scheme for agricultural establishments throughout the provinces?—Yes.

28617. And the Lieutenant-Governor considered the Local Government were capable of judging of their own needs and initiating the necessary measures?—Yes.

28618. Apart from such excursions outside their sphere, do you think these officers are useful?—I think so, generally speaking; there are only a few exceptions.

28619. At present have you to go to the Government of India with regard to your Superintending Engineers, your Conservators of Forests, and Inspectors General of Hospitals?—Yes.

28620. Do you think you could start a provincial *cadre* of Forest Officers, or Engineers?—I doubt it as regards Forest Officers, and as to Engineers that is a matter on which I could give no useful opinion.

28621. Does the Government of India system of reminders lead to much extra correspondence?—It leads to a certain amount of unnecessary correspondence.

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28622. Do they not require an answer within a few days as to what the position of a case is?—I think they require an answer as to when the answer will be sent in and as to the position of the case.

28623. Is that necessary?—There are cases in which they have been unnecessarily issued, certainly; I am not quite sure that a reminder in that form is altogether unnecessary.

28624.—As regards the Court of Wards, what necessity is there for a provincial report at all?—For the information of the Government of India and the Secretary of State, I imagine.

28625. Have they required it?—That I am not in a position to say.

28626. As long as your accounts are open to the inspection of the people concerned, what necessity is there for it at all?—There is a certain amount of information about the agricultural improvements carried out on the estates.

28627. Would it help matters in the way of preventing transfers, to allow officers to accumulate privilege leave for a longer period than three months?—It might have that effect and probably would have that effect, but I do not know that it would be very marked.

28628. Would you go so far as to allow an officer an open leave account with the Government and lay it down that leave should be granted whenever the Government thought they could spare the officer?—That is an idea worth considering, but offhand it is difficult to give an answer.

28629. You refer to the excessive length of revenue and case work which is apparently due to two Acts of 1901—the Tenancy Act and the Revenue Act; we were told that these two Acts had not led to a great increase of case work, but the Lieutenant-Governor here says that the former Act has led in one district to an increase of 40 per cent. in suits for arrears of rent, and that partition cases have gone up in number in the last five or six years from 2,364 to over 4,000?—I do not think that that is to be attributed to the Act; it is put as a statement of fact.

28630. Have there been changes in the Act which have brought about this result?—The Board of Revenue have been considering it ever since the Act started, and have not yet come to a definite opinion. I am inclined to think that there are other reasons also at work which have had some effect in that direction.

28631. Is that likely to be corrected if it is so?—It will be corrected if necessary, but it is an extremely complicated question.

28632. Are there too few Joint-Magistrates?—I think there are.

28633. Do you agree with the description of the reduction of numbers as a "dangerous mistake"?—No, I will not go so far as to say "dangerous mistake."

28634. Would you say that it is a *grave* mistake?—Perhaps that is a little stronger than I would care to put it.

28635. It has been stated that the correct principle on which to consider the relations of officers to each other is that all power should be placed as low down as is consistent with safety; that is to say, that you would leave nothing with the Commissioner that the Collector could safely dispose of, nothing with the Collector that the Sub-Divisional Officer could dispose of, and nothing with the Sub-Divisional Officer that the tahsildar could dispose of—would you say that would be a fair principle?—Generally speaking, I should think so.

28636. (*Chairman.*) Have you sent many officers to the Government of India of recent years?—A considerable number.

28637. Have they always gone straight from your Secretariat to the Government of India Secretariat?—No.

28638. Have they gone generally from the district or from the Secretariat?—Usually from the Secretariat, sometimes from the district.

28639. Can you tell me in what proportion they have gone?—I cannot without working out the figures.

28640. Generally speaking, have they gone from your Secretariat to the Government of India Secretariat?—More often than not.

28641. At the conclusion of their employment in this Secretariat as a rule?—Their work was concluded by their being sent to the Government of India; Under-Secretaries might be taken at any time during their term of two years.

(*The witness withdrew.*)

Adjourned.

FORTY-FIFTH DAY.

LUCKNOW, *Wednesday, February 12th*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. A. B. SHAKESPEAR was called and examined.

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28642. (*Chairman.*) You are Secretary to the Upper India Chamber of Commerce?—Yes. My headquarters are at Cawnpore. I am a merchant; the Secretaryship is only a part of my work.

There is, my Committee consider, a fairly well defined opinion in unofficial circles that the system under which provincial Governments are provided with their finance withdraws from these provinces an excessive share of their surplus revenues; at the same time any scheme which would contemplate the division of India into a series of financial water-tight compartments, each unit leading an independent existence and ignoring the responsibilities attaching to the corporate life of the Empire, would contemplate an entire revision of the relations between the Government of India and the Secretary of State. If the present system of provincial contracts is to be retained intact, liberty to raise money by means of loans could not be extended to provincial Governments, without risking embarrassment to the Government of India in their financial operations. It would at the same time not be difficult to accumulate instances of undertakings in the nature of productive works, either in connection with the improvement of our large cities by means of trusts or otherwire, irrigation projects or the development of lines of communication, the accomplishment of which would not have to wait upon the provision of funds from the imperial exchequer, if provincial Governments

were invested with powers to pledge their revenues and allowed access to the money market for their requirements.

Speaking generally, my Committee consider good would come of securing to provincial Governments greater independence in administrative matters. The principle of localization has been accepted as being necessary in such important questions as land tenure and excise, and it seems that without unduly weakening the powers of the Supreme Government, legislation and administration in a variety of directions might be made to follow more closely the needs of particular provinces.

In the opinion of my Committee, the status of governing bodies of provinces is such as to render it safe to leave to them the final decision as to the most suitable treatment of provincial problems. There would thus be less justification for the charge of undue delay so often brought against Government. Moreover, the danger of hasty and ill-considered action has of late years been greatly minimised by the facilities Government officials now possess for consulting local opinion, and the greater willingness on the part of the officers of Government to avail themselves of such facilities. This tendency towards co-operation, on which my Committee place the highest value, must inevitably increase the work of all departments of Government, and it seems desirable to compensate for the increased correspondence between Government officers and the public by reducing the correspondence between the provincial and Imperial Governments, more especially as for this reason the necessity for control from above is not so great as it used to be.

My Committee strongly advocate the fullest possible use being made of local conferences for the discussion of administrative and industrial questions. Problems are frequently presented to Government where local interests are acutely involved, and in which local feeling would be more truly represented when heard on the spot, than by deputation sent to headquarters.

My Committee consider the strengthening of the Executive of the Civil Service is a matter demanding the earnest attention of Government, and especially in the direction of the appointment of more district officials.

My Committee hesitate to recommend the provision of greater independence in administrative matters unless introduced simultaneously with a strengthening in the executive staff; the multiplication of work which has followed upon the general development of the country has undoubtedly resulted in an increase in the duties devolving upon District and Sub-Divisional Officers.

The creation of independent appointments for the direction of the affairs of large cities is at present receiving the attention of the Government of these provinces, and the relief which this will afford to District Officers who are now discharging the duties of Chairmanships of Municipal Boards, should allow of their accepting greater responsibilities in their revenue and general administrative work.

In such Departments of Government as Education, Agriculture, Commerce and Industry, where the necessity exists of special study being given to the peculiar conditions existing in particular provinces, greater powers might with advantage be granted to provincial Governments, including the selection and appointment of experts. The Government of these provinces has lately constructed a scheme for industrial development and the promotion of technical education, and except in matters of supreme policy the Government of these provinces should be granted freedom to develop the work of these departments along the lines which may be considered best suited to their needs.

My Committee do not consider that the enlargement of the powers of Municipal and District Boards could be undertaken with safety until the status of the persons constituting these bodies has been improved, and they have come to realise in a truer sense the obligations of their office and their duties to the ratepayers. If a better class of persons could be attracted to Municipal and District Boards in these provinces, much might be done to improve these Councils, both as regards their constitution and utility. There are instances where District Boards have no funds at their disposal and are entirely dependent upon allotments from provincial revenues. If these Councils are to be made a really effective instrument in the administration of rural areas and are to be entrusted with such important functions as the maintenance of lines of communication, they should be allowed to raise money by means of cesses for the undertaking of works which may be considered necessary for the development of the areas under their control.

Much might be done in these provinces by the prosecution of an active policy of light railways and rural tramways, if District Boards had resources at their disposal which would enable them to provide effective guarantees in cases where private enterprise is ready to come forward for the construction and working of projects of this nature.

My Committee would welcome a partial return to methods of administration which may be open to the charge of being primitive according to Western ideas. They would like to see the District Officer more in personal touch with the native population, recognising that autocratic administration has the sanction of immemorial custom and is, they believe, best suited to the character and habits of the people of India. There has been in recent years a tendency to interpose the native subordinate officials between the District Officer and the people, and an inclination to avoid the personal settlement of disputes by the Collector himself. A return to such methods contemplates the sacrifice of time which is now devoted to duties of official routine, and would therefore render necessary a strengthening of the executive staff, but this should not be considered as a bar to reforms which would greatly popularise internal administration.

28643. You tell us that it might be possible to either improve cities or to provide irrigation projects if the Local Government were invested with power to pledge their revenue and were allowed access to the money market. Is there a local money market which the provincial Government could tap and which the Imperial Government does not now tap when it issues its rupee loans?—The Cawnpore municipality raised a large loan a few years ago from a European bank in India on favourable terms. I do not suppose the Local Government possesses facilities for raising money on more favourable terms than the Imperial Government, and if the Local Governments were to borrow on a large scale this might be embarrassing to the Government of India; I quite realise that. I do not know that there would be an independent market on a very large scale, but on a more restricted scale money could probably be raised for specific projects on advantageous terms.

28644. Money which would not be available to the Government of India for the use of their ordinary issues?—Quite so.

28645. Native capital would perhaps be forthcoming for some local irrigation work of which they might have personal experience, or from which they might obtain personal advantage?—Yes. I think this is quite likely.

28646. You say that that market would be a small market; what size loan would it accommodate?—It might be available up to ten lakhs. The loan I speak of was five lakhs, and it was raised at 4 per cent.

28647. When the Government of India issue a rupee loan, do the people in Cawnpore take any of it up?—I think not.

28648. Is not Cawnpore a very prosperous town?—As regards its municipality, not at present; but the general trade conditions are prosperous.

28649. Is a considerable proportion of the general trade in the hands of natives of this country?—Yes, and there is a considerable amount of native capital in our staple industries.

28650. Capital, so far as you know, is not being put out at interest to the Government of India; therefore any local loans within the limits which you have mentioned would not interfere with the loans which the Government of India from time to time issue?—I do not know that it would in any way.

28651. You say that the strengthening of the Executive of the Civil Service demands attention; what do you mean exactly by that?—I specially referred to District Officers and Commissioners; if they are to be called upon to take greater responsibilities and their work is to be increased, we think the numbers must be enlarged.

28652. In what grade?—In all grades, but especially Commissioners and District Officers.

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28653. And below them?—Yes, Deputy Collectors and Joint-Magistrates. We only see it from a certain point of view, but there is a strong feeling that too great demands are now made on District Officers, especially in cases where they are connected with the administration of large cities. We have under our particular notice the case of Cawnpore, where the Collector has one of the largest districts in the province and one of the most important cities to look after.

28654. Who is Chairman of the Cawnpore municipality?—The Collector.

28655. If the Collector were not *ex-officio* Chairman, would it be possible to get at a place like Cawnpore a non-official who would act as Chairman of the municipality?—Not a local man, but it would be possible to get a non-official Chairman if the municipality could afford to pay him.

28656. The duties would be so heavy that no unpaid Chairman could do the work?—No. In the case of Cawnpore we have a promise that an independent official Chairman will be appointed; that will relieve the Collector, and enable him to devote greater attention to the district.

28657. When you say "an independent official," do you mean a member of the Civil Service?—Yes, and the idea is to extend the principle to other large cities.

28658. Cawnpore have guaranteed the money?—It is to be provided out of the municipal revenues.

28659. Do you know practically anything about the *mufassal*?—I have been in India fifteen years; I know something about it. This particular point I know something of, because I was connected with a light railway project where a District Board were satisfied that the prospects of the project were financially sound and guaranteed the interest; the scheme was proceeded with to the extent of having almost secured the capital, when the promoters found that the District Board had no funds at their disposal, and that their guarantee was not worth anything at all; they would have had to call upon the provincial Government for funds. This is one of the cases we had in mind.

28660. If this scheme was, as you say, financially sound, is there any reason why the promoters who would otherwise have found the capital should not have gone on with it independently of the District Board?—It is a very difficult thing to raise money without a guarantee of this sort. It was the first scheme of the kind projected in this province.

28661. Capital here, at all events, was not to be tempted without a guarantee?—The proof of its success is that it has now been undertaken by a Railway Company and is to be constructed as a railway, whereas the scheme originally promulgated only contemplated a road tramway.

28662. (*Sir Frederic Lely.*) Was the loan of five lakhs, of which you spoke, on the security of the municipal revenues?—Yes.

28663. There would be a considerable difference between the security of municipal revenues and the security of provincial revenues?—Yes, undoubtedly.

28664. The provincial revenues are already hypothecated for Government of India loans; so that a loan on the security of provincial revenues would only be, as it were, a second mortgage?—That is so.

28665. What you say therefore refers especially to small local loans which will draw out local interest and local sympathy?—Yes, where the details of the scheme would be understood and appreciated by local capitalists.

28666. You speak of strongly advocating local conferences for the discussing of administrative and industrial questions. Of whom do you contemplate that these local conferences should consist?—I meant local rather in the sense of provincial; I do not think my Committee contemplated carrying the conferences down to the district; we referred rather to conferences with the Local Government. We had one in Naini Tal the other day.

28667. Who were called to that conference?—It was very representative; the Chamber of Commerce, various sections of the Indian public, and the land-owning interest were invited. Various bodies were asked by the Local Government to send representatives.

28668. Then it was on official initiative and under official sanction?—Yes.

28669. Do you think that that had a good result?—Excellent; it was assembled for specific objects; to consider an industrial and technical education scheme for this province.

28670. It did good both in establishing cordial feelings, and also in practical result?—Yes, in both respects it was most excellent.

28671. Can you tell us in what way the want of executive staff has made itself felt?—Our opinion is that a District Officer at present has not sufficient time at his disposal to deal as directly with the people as he had, and we would like to see that remedied. There is a tendency now to interpose the subordinate between the Collector and the population. The people look to the Collector and would like to see him more in the district than it is possible for him to be, with the work that he has at his headquarters.

28672. What means has the Chamber of ascertaining the facts in the district?—We all have business relations with the district of one kind or another; the cotton industry is always operating in the district, the leather people have constant dealings with it, and we hear opinions.

28673. So that you have rather considerable means of ascertaining the views of the people?—I think on that point we have considerable information with advantage.

28674. You say that the appointment of a paid Chairman would do a great deal to relieve the Collectors of their excessive work. Have you any suggestion to make about the smaller municipalities?—Many of them might be abolished altogether.

28675. There would still remain a residuum which are a tax on the Collector?—Yes, a number of them. You must consider the class of man controlling the affairs of the smaller municipalities. If the Collector is not to be the administrative head, you rather sacrifice the value of his control if you introduce a subordinate; you cannot afford to pay a man of the standing of a Collector in the case of the minor municipalities.

28676. Have you never known, or heard, of a case of a municipality where there is a non-official man able to carry on affairs? In a small municipality the work would not be nearly so onerous as in a big one; is the absolute exclusion of non-officials from the Chairmanship justified?—It is the question of the capability to pay.

28677. I am not referring to a paid man, I am referring to an honorary man?—I do not know of a case in point. In some of the planting districts you might find a man with sufficient leisure to undertake such an appointment, but I do not think this would be so in the case of a business centre.

28678. Do Europeans take much interest in municipalities in the *mufassal*?—In the case of Cawnpore Europeans have on various occasions come forward and accepted seats on the Board and, I think, done good work, but they have always been outnumbered, of course, by the Indian vote, and there is a strong feeling that they should be more powerfully represented.

28679. So far as the European element does not take any interest in the municipality, it is explained by that reason?—Yes, I think so, principally in the case of Cawnpore; the Chamber has three representatives on that municipality now.

28680. It is not because the municipality has not sufficient power given to it?—No. I do not think that is the reason.

28681. You say "If a better class of persons could be attracted to the Boards, much might be done to improve them." Have you any suggestion to make as to how a better class of persons could be attracted?—Government should make more use of their powers of nomination, or, if these are not sufficiently large, I would like to see them increased in order that Government might select more widely. In many cases we have not got the right people on the Boards.

28682. There ought to be more nominated members?—I think so, until the electorate send up the right men; they are not sending up the right men now.

28683. (*Mr. Dutt.*) You ask for greater independence in administrative matters for the Local Government, and you say that the danger of hasty and ill-considered action has been minimised by the facilities which

Government officials now possess for consulting local opinion; are the facilities greater to-day than they were ten or fifteen years ago?—I think the feeling to consult is stronger; there is a greater desire on the part of Government to consult.

28684. As a matter of fact, is local opinion more frequently consulted now than it was ten or fifteen years ago?—I think so, certainly.

28685. Has there been much improvement in the means for probing local opinion?—I do not exactly know the nature of the machinery which applies in this matter, but I believe that there is a greater desire to consult.

28686. If proper means could be provided for testing public opinion in different parts of the country, you would be in favour of such provision?—We would certainly welcome it.

28687. All classes of the community, both European and Indian?—Yes.

28688. Do you know if the law of this province empowers the Local Government to sanction guarantees for local undertakings being given by the District Board?—I think the Local Government in such cases has to refer to the Government of India.

28689. Should the powers be delegated to the provincial Government?—Yes, I think so, with regard to local schemes.

28690. Might not the District Boards in that case give guarantees to ventures which would not be remunerative in the long run?—In this connection the opinion we express about the improvement of those bodies will have to be considered. We feel that the constitution of these bodies could be improved by nomination.

28691. You have cited an instance of one conference which had excellent results; was that a conference of the whole province?—Yes. Certain delegates from other provinces—experts—attended.

28692. In smaller matters, in districts, would similar conferences held by District Officers also be beneficial?—Yes, I see no harm in extending the principle and carrying it lower. The Committee had in their minds the idea of provincial conferences to discuss matters of policy rather than matters of detail.

28693. But in smaller matters also when necessary that practice could be followed with advantage?—Yes; it might be left to Commissioners to consult public opinion when they thought it necessary.

28694. I suppose your knowledge is mainly confined to the District Board of Cawnpore?—Yes, and the information that reaches us with regard to the province generally.

28695. You are not generally acquainted with the class of men who are returned to District Boards by the electors in other parts of the province?—No, I have no personal knowledge.

28696. Therefore you have not sufficient knowledge as to the kind of work which is turned out by members of District Boards outside Cawnpore?—No, but there may be some members of the Committee who have specific knowledge of it; these are after all the Committee's views.

28697. Would it be a good idea, where there are good members of the Board, to let them take up the work of the Board under the general supervision of the Collector?—Yes; this course is followed in the case of most Municipal Councils; a large share of the work is being undertaken by sub-committees. The same procedure might be followed with advantage in the case of District Boards.

28698. (*Mr. Hichens.*) What is the ordinary rate of interest charged for commercial loans with a first class security?—I think capital would be attracted by 4½ per cent.

28699. You would get money at as low a rate as that?—Yes, for long term loans.

28700. Therefore there would be a reasonable chance of money being forthcoming for municipal works and other projects?—I think so.

28701. If the ordinary rate of interest were much higher there would be some difficulty about it?—Yes, there would be difficulty.

28702. Do you, as a commercial man, attach considerable importance to uniformity in regard to Government regulations dealing with commerce throughout India, such as regulations for the storage of petroleum, and so forth?—In the particular instance you mention uniformity is certainly desirable. There are many others. The question of legislation for electrical purposes has recently come under our notice and this we consider ought certainly to be imperialised and remain imperialised until Local Governments are better equipped to deal with that subject than they are at present. I have personal experience of the disadvantages of localisation.

28703. Broadly speaking, as far as the commercial classes go, is it desirable that matters affecting them should be considered from the point of view of India as a whole and settled by the Imperial Government, not by the Local Governments?—Yes; so far as matters of trade policy are concerned.

28704. (*Mr. Meyer.*) Have you any knowledge of excise matters?—Yes, as a producer of alcohol.

28705. In that case would it be desirable to have some general uniformity?—Yes, on broad principles excise legislation should be imperial. We have had a system of differential duties in the various provinces which is a disadvantage.

28706. You have got concerns such as the Rosa distillery that deal with several provinces?—Yes, they are quite specially situated.

28707. As communication increases, and has inter-provincial trade increases, it will perhaps be necessary to bring excise regulations into greater uniformity than they are at present?—Certainly as regards the exchange of supplies; there is no wish to divide India up into compartments; the flow of supplies ought to be quite free; you may find at the same time certain conditions may arise which would apply to one province but not to another.

28708. Did you say that you thought these local loans which you suggest the Local Governments might raise would be raisable at 4 per cent.?—No, I said 4½ per cent.; I quoted one instance where a loan had been raised at 4 per cent.

28709. But when you say that a Local Government might perhaps be allowed to raise money, do you think they could raise it at 4 per cent.?—I think so.

28710. Tapping a fresh market?—Yes.

28711. When you speak of ten lakhs do you mean ten lakhs a year?—No, I meant an individual loan of this amount.

28712. You do not mean that they should go to the money market at the rate of ten lakhs a year?—No, it must be considered as money raised for a specific object.

28713. Would you require the sanction of the Government of India for such a loan?—I do not think it would be necessary.

28714. In Bengal there is a system; every year the Lieutenant-Governor meets all his Commissioners and Heads of Departments, and some non-officials also; would you be in favour of that here?—Yes, it would be an excellent thing.

28715. You are in favour of the District Boards levying a special cess for railway construction; is it your idea that that should be a special reserve for guaranteeing the construction of light railways?—Yes; we attach great importance to the extension of light railways and feeder lines in this province; we think that this is what the railway system particularly wants; we are very well served as regards trunk lines.

28716. Is your idea that the District Board should have this power, but that it would not always be necessary for them to levy the additional cess?—I do not think it would be necessary in the case of a prosperous scheme.

28717. It would be just a power of taxation in reserve?—And it would undoubtedly assist the raising of money for such projects.

28718. It might be objected that you are taxing the landed interest for the benefit of the commercial community to some extent?—Yes, that has been advanced against it.

28719. What do you say to that?—No doubt it is a point against the scheme.

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28720. Is there any other way that you can think of, any taxation that would affect other people besides the landed interest?—No, I do not think any other interests would be adversely affected.

28721. Would you be in favour, for instance, of raising money by any addition to the income-tax - the sort of thing they call the *centime additionel* in France?—I think that any addition to the income-tax would be strongly opposed.

28722. Would you be in favour of a paid Secretary for the District Board?—Yes.

28723. The Chamber's idea seems to be that the Collector should as far as possible take everything himself. Is that really possible in these days and with districts which contain on the average about a million inhabitants?—We think he should have more time to investigate district problems himself.

28724. You say you do not want an Indian subordinate official between the District Officer and the people. Are you going to run the Indian element out of the administration altogether?—No, that is not intended, but the Collector should have time to supervise the work of his subordinates.

28725. Surely the ordinary non - commissioned officers, so to speak, of the civil administration must always be Indians?—We admit this, but it is a question whether the Collector is able to keep in sufficient touch with the population of his district.

28726. Suppose Sub-Divisional Officers lived in their sub-divisions instead of all being stationed at head-quarters when they are not travelling, would not you get something in that direction?—Certainly; it would be a step in the right direction.

28727. Would you be in favour of that?—Yes.

28728. You say that decentralization is contingent on strengthening the staff; surely, if you enable a man to devolve work on inferiors you *prima facie* diminish the burden on his time?—If he has less references to make, yes; but he has to do more work.

28729. Is there more work? It takes less time and trouble to dispose of a matter off your own bat than to have to send an explanation to a superior authority?—I think that depends upon circumstances.

28730. So far as you diminish a man's work, you decrease the necessity for additional hands?—Yes, but you increase his responsibilities of course at the same time.

(*The witness withdrew.*)

The Hon. Mr. E. DuCane Smithe, M.I.C.E., was called and examined.

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28731. (*Chairman.*) You are the Chief Engineer and the Secretary to Government in the Public Works Department?—Yes. I am the Head of the Buildings and Roads Branch. The two branches are equally divided; they have no superiority of the one over the other. The organisation of the Irrigation Branch is absolutely separate.

The general organisation of the department is the same as that in other parts of India. Under the Chief Engineer are three Superintending Engineers, each of whom has a circle of superintendence, and in each circle there are Executive Engineers, and under them again Assistant Engineers. The charge unit is the district, and the Public Works in each district are under a District Engineer, who may be a Gazetted Officer or one of the Upper Subordinate class. The nature of the Public Works to be constructed or looked after in a district varies very much. A group of districts corresponding territorially with a Commissioner's division is put in charge of an Executive Engineer, who is generally spoken of as the Divisional Engineer. There are nine Commissionerships and a Divisional Engineer for each, and in one case—that of Allahabad—it has been found necessary to appoint a second Divisional Engineer, because the work was heavy. In addition to the ordinary circles of superintendence, there is a fourth circle in charge of the Sanitary Engineer to Government. It is his duty to advise on all projects of sanitation, and in many cases to actually prepare the projects. Government places his professional services at the disposal of municipalities for this purpose, free of charge, except for the actual expenses incurred on preliminary surveys and enquiries requisite for the preparation of plans. He may have one or more Assistants posted to his office to help him, but ordinarily he does not supervise the actual execution of works.

The total strength of the Buildings and Roads Branch of the Public Works Department in these provinces is 48, an addition of six having only just been sanctioned by the Government of India.

Public Works ordinarily fall under one of two categories, viz., imperial and provincial. The former include all works executed for the Imperial Government either under civil or military disbursing heads, and the latter include all works for which funds are drawn from provincial revenues. The agency of the Public Works Department is, however, often utilised for the construction of works for local bodies or even for private individuals. In these provinces all original works and repairs of District Boards which are estimated to cost Rs. 1,000 have been placed in the hands of the Public Works Department.

The most important duty of the Chief Engineer in his own branch is the control of all engineering operations in the province. He scrutinizes and sanctions all estimates over Rs. 500 (imperial funds) and over Rs. 2,500 (provincial funds) which relate to original works in contra-distinction to repairs, the two categories into which all work may be divided. In the case of works to be carried out for local bodies, the final sanction for everything up to Rs. 10,000 is given by the Commissioner, but the professional details are sometimes referred to the Chief Engineer for approval. All projects for local bodies over Rs. 10,000 come up for his professional approval and sanction. The next most important duty of the Chief Engineer is the preparation of a budget for the year to show how the grant fixed in the provincial contract for his civil works, plus extra grants for special and ordinary works given by the Local Government, is proposed to be spent.

The budget is prepared under three main heads, viz.—original works, repairs, and establishment; and when compiled by the Public Works Department, it is passed to the Financial Secretary for scrutiny and then for approval of the Lieutenant-Governor. Allotments for original works are then intimated to Heads of all Departments, and the preliminary detailed issue of the budget is sent to the Government of India for sanction.

Audit of expenditure by Executive Officers under every head is controlled by the Examiner of Public Works Accounts, who is the professional adviser of the Chief Engineer on all such matters. The system of check and control is laid down in the Public Works Code, and the Examiner follows this and brings to notice all cases of infringement of rules or irregularities in accounting.

The administration of the Public Works Department would be both simplified and improved were a greater measure of control vested in the Local Government. The Department was a very small one to start with, and its organisation was originally entirely military, so not unnaturally rules and orders to ensure its management on uniform lines were drawn up for guidance. These orders have been crystallised in the Public Works Code, and though a code is essential for the administrative control of a large spending department by the Supreme Government, the attempt to secure rigid uniformity of system in every province has resulted in a curtailment of freedom of action by all Local Governments which is bad economically and in other ways.

No difference is made in the system of procedure nor in the rules laid down for the construction of a work by the Public Works Department, whether that work be a railway affecting the general welfare of the country, as a whole, or a road which may only concern two or three districts in one province. For the former funds may be given from loans or from grants given by the Government of India, whilst for the latter the funds would be from provincial revenues. A code or system that does not take into account these differences, but provides for control of all expenditure on set lines, is bound to be non-elastic, and to cause a

stiffness of working which results in over-centralization and delays. I would like to see the Public Works Code rules reduced to the smallest number which would be compatible with all reasonable control of provincial Public Works expenditure by the Government of India. A too strict adherence to a code not only causes extra correspondence and delay, but it ties the hands of officers and tends to throttle initiative and to obliterate all sense of responsibility—two qualities which should be specially encouraged in an establishment of Engineers.

There is no part of the Public Works Code that could be modified with greater advantage than the chapters relating to accounts. The prescribed forms, though elaborate, perhaps, are not objectionable, and every one recognizes that initial accounts submitted to the Government of India must be prepared on uniform lines. The forms prescribed for disbursing officers must also be uniform, so that an officer has nothing new to learn wherever he may be serving. But it is in the matter of audit that the code accounts system is needlessly stringent, and no harm would result if the Examiner, deputed to each Local Government, were allowed a greater latitude in dealing with audit objections than any of them now conceive they are entitled to exercise. The time and labour now given to minute check and countercheck, accompanied by long statements setting forth major and minor irregularities and breaches of code rules, is not commensurate with the result obtained. The accounts of a disbursing officer are really simple and so is their check, but it is extraordinary how often the essential elements of both are lost in a mass of petty objections on details which the Audit Officer feels bound to bring to notice. This action is correct from the Examiner's point of view. He has to follow the Code, and often feels bound to press his views, and even appeal to the Government of India if the Local Government does not agree with him. But the system is wrong, for it creates friction and much correspondence on trivial matters connected not only with cash outlay and vouchers, but with establishment.

The appointment of Upper Subordinates and accountants should be left entirely to the Local Government, including in this the fixing of the *cadre* number, but not the scale of pay which would remain as now laid down in the Public Works Department Code. The appointment of temporary Engineers up to a limit of pay of Rs. 1,000 a month should rest absolutely with the Local Government. All such appointments being limited to a period of three years and being reported for the information of the Government of India.

The submission of the preliminary issue for provincial works in detail might be abolished. The expenditure is based on the provincial contract, and a brief statement showing the proposed outlay under the ordinary budget heads—original works, repairs, establishment, and tools and plant—should suffice. The same as regards the six months and revised estimates.

As regards the delegation of powers to Superintending Engineers, proposals have lately been circulated by the Government of India with the general tenor of which I agree, with the reservation that extended powers of sanction should be given gradually.

As regards the rents of official residences, there is no set of rules in the code that gives more trouble to work than these. The references are endless—some quite reasonable, some very much the reverse. The Local Goverment has little or no discretion in relaxing the rules, but it should have a larger measure of control when the funds affected are provincial, and the rents go into provincial revenues. It is desirable, and soon will be almost imperative, to house all officials in large stations in Government residences; and the present rules, being inflexible and rather unpopular, are stopping this.

Enlarged powers might be given to Local Governments under the head of purchase of European stores in India. The annual return of stores purchased locally might be prepared in less detail. That for 1906–7 in this province was bulky enough to fill 165 pages of print.

I would personally be glad to see a reversion to the old state of affairs, which made no difference *in pay* between the Engineer appointed from Roorkee (or other Indian College) and one appointed in England, provided that the standard of examination was the same in both cases. At present an Engineer from Roorkee does exactly the same work and has the same responsibilities as his *confrère* from England, yet he only draws two-thirds of the pay. Those not good enough to get a guaranteed appointment at an Indian College might be given diplomas and engaged as true Provincial Engineers—that is, as Engineers to District Boards, where the work is far simpler and where the responsibilities are less. A large number of Indian Engineers of this type are needed, and it would give an opening in life for engineering students who have a taste for that sort of work, but who are not quite the top of their class.

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I am in favour of giving Local Governments borrowing powers within some total which might be fixed by the Government of India. The same end, however, could be gained were the Government of India to make special grants to a Local Government if at any time it could be shown that by unforeseen calamities the revenues had been seriously affected. Such a state of affairs arose recently in the Punjab, where earthquake, fires, and other disasters caused a quite abnormal expenditure, totally beyond the forecast on which the provincial settlement was based. I would also give more power to the Local Government in the matter of granting loans to local bodies. In the case of municipalities such loans are usually taken for sanitary works only. The orders are that important towns must raise their loans in the open market and it is difficult to get this order relaxed. The principle is sound enough for the Presidency towns where the system of taxation is based on a property valuation as in England; but up-country, where the municipal income is small and derived mainly from octroi, it is hard to drive the citizens to borrow from a bank at 5 per cent. or over when Government could lend at 3½.

The Government of India is dominated by considerations of revenue and does at times impose a burden on provincial finances that they might fairly bear themselves. For instance, it presses for a local improvement to be carried out, or for the opening out of a new road in the Hills towards the frontier to develop trade. Almost invariably the cost has to be defrayed from provincial revenues on the *plea* that the work falls within the terms of the provincial contract. Again, a Local Government is asked whether it would like a railway bridge to be made passable for cart traffic. If the reply is yes, then the Local Government has to pay a sum of from 2 to 5 lakhs. A recent reference was made to the Punjab Government about three new bridges on the North-Western Railway, and had the reply been that a cart track was needed, the cost would have been 14 lakhs.

I would not curtail the right of appeal now granted to officers of Government to the Government of India, nor that of all officers to a Local Government.

In the Public Works Department transfers of officers are not unnecessarily frequent, but the administrative staff is hardly adequate to cope with the work to be done. The areas of the charges held by both Superintending and Executive Engineers are on the whole excessive in this province, but the establishment has lately been increased and there is some hope of a redistribution which will make the charges more manageable.

28732. You are a member of the Sanitary Board?—Yes, but I have only just joined these provinces in November last, so I know nothing about the working of the Sanitary Board here. In the Punjab the same conditions hold; the Chief Engineer is a member of the Sanitary Board.

28733. Have you been round your charge yet?—To a small extent I have; of course I have not travelled everywhere yet, only to some of the most important centres. The Chief Engineer has really not much time to do much travelling; his office work is very heavy.

28734. Are you satisfied with the extent of the power which is in the hands of Superintending Engineers?—No.

28735. Have you yourself just ceased to be a Superintending Engineer?—Four years ago. The Superintending Engineers should certainly be given a great deal more powers. I think their powers have been curtailed, especially in these provinces. I notice a great difference between the United Provinces and the Punjab in that respect. The suggestion made by the Government of India for delegating powers to Superintending Engineers which have been accepted by this Local Government *in toto* are most desirable, and they

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might even possibly be extended in minor matters which the Government of India letter did not touch upon.

28736. You find the restrictions laid upon the Superintending Engineers were closer here than they were in the Punjab?—Yes, to a slight extent only, but there is a little more diffidence here amongst the Superintending Engineers in dealing with things.

28737. What is the delegation to the Superintending Engineer, so far as regards the approval of contracts and minor works, going to be extended to?—It has been suggested that they should have the same powers of accepting contracts in minor work, as they are given power of sanctioning estimates, that is to say up to a lakh. At present the Government of India permits certain selected Engineers to have powers up to Rs. 10,000. Even those powers have not yet been delegated to the Superintending Engineers in these provinces although they might have been.

28738. You think that Superintending Engineers are quite capable of taking that responsibility?—I should give the responsibility by degrees; on appointment I should certainly give them permissible powers up to Rs. 10,000, and then by degrees, as they are found to be capable, extend them up to the maximum limit.

28739. Would you act upon your own advice as to delegation to particular officers?—Yes.

28740. Would you ask for that power for yourself as Secretary to Government, or would you put it on the Lieutenant-Governor?—I should ask for it for myself as Head of the Department.

28741. Would you ask that you yourself should be able to delegate those powers without reference?—No, certainly not, because there are other things that come into a Superintending Engineer's work besides engineering. He must be a man of great tact in dealing with other departments; he must have great administrative capacity; it is not a matter of a design or a drawing; there are many men who are very good engineers indeed, but not very good administrative officers, and I do not think the Lieutenant-Governor would be prepared to give a free hand. I would not like to have the responsibility myself without reference to the Lieutenant-Governor.

28742. Is the Lieutenant-Governor brought into contact with the Superintending Engineers personally?—Yes, on his tours of inspection.

28743. That is where he would get the experience which would enable him to choose between officer and officer?—Yes; and he would also hear from Commissioners; when he goes round he would say "How are the Public Works doing here?" and the Commissioner would say "We have a very good Superintending Engineer here—he pulls very well," and he would thus be in a good position to judge of the administrative capacity of the different men.

28744. Do you have many transfers in the Public Works Department?—Not very many.

28745. How long would a Superintending Engineer stay in his charge?—He is very rarely moved; during my four years as Chief Engineer I can only recall one instance of what you might call a general change of Superintending Engineers.

28746. Would there be no inconvenience from the fact that one Superintending Engineer in a district who had had full power delegated to him went away and was succeeded by a man who had practically no powers delegated in matters of large contracts?—I do not think so; the work falling back on the Head of the Department would be exactly the same, provided there was not a new man brought in; I do not think there would be administrative inconvenience to the Commissioner.

28747. Is not selection observed in the promotion of Executive Engineers?—Yes, it is supposed to be; but it is not always possible to select with very great strictness.

28748. Where do you begin to select?—Only in promotion to the first grade of Executive Engineer.

28749. Are there not three grades of Executive Engineer?—Yes. In the second and third there is no particular selection; a bad officer is passed over, but the Public Works Code says that when you promote to the first grade Executive Engineer selection must come in.

28750. And as a matter of fact selection does not always come in?—The claims of seniority necessarily weigh.

28751. Is there stricter selection for promotion to Superintending Engineers?—There is fairly strict selection.

28752. Are the claims of seniority there allowed to be almost paramount?—No, they have not undue weight.

28753. Then from Superintending Engineers upwards?—To Chief Engineer the selection is very strict indeed.

28754. Up to then it has not always been selection; it is selection tempered by seniority?—Yes.

28755. A good deal tempered by seniority?—Not too much tempered.

28756. At what age does such a man generally become Superintending Engineer?—42 to 44; it varies very much on the different lists.

28757. Suppose a man of such age and experience was in private practice, would he have power to decide finally upon works which represented a capital value of £10,000 sterling?—I think so.

28758. Then why should he not have it when he is a public servant?—Except that the competition at home is very much keener than it is out here; men who would be asked to give a professional opinion on a big project at home would be men who had worked themselves up.

28759. As a matter of fact it is something under £7,000?—Yes, but the relative value of money represents a higher value than £7,000. You may compare a project costing one lakh of rupees in this country with a project costing at least £25,000 in England in relative importance.

28760. Would a man of 42 years of age acting as a Civil Engineer finally issue specifications and complete the contract?—The system in England is rather different from our system here; not having been in practice in England I do not think I can answer your question.

28761. Are what are called provisional sanctions necessary here to prevent the cessation or suspension of work towards the close of the financial year?—I do not think there is any provisional sanction.

28762. When you get close to the end of the financial year you have works which are not completed; are you quite certain whether you are going to get your money next year in order to complete your works?—Yes, because works in progress are the first charge on the budget for the next year.

28763. Is no delay caused by official sanction to the budget not having reached you?—If proper arrangements are made there should be no delay.

28764. What are the proper arrangements?—For instance the budget expenditure of next year in the month of February is now going out to the Superintending Engineers for their general information, so that they may see now what works have been provided in the next budget. It is not a final issue of the next budget, but it is so far final that 99 per cent. of it will probably stand; there should be no hesitation therefore on their part in letting works proceed in the ordinary way.

28765. You would not attach much importance to any suggestions that these sanctions lead to delay?—I have never had occasion to ask for provisional sanction of that kind.

28766. Do you find that your relations with Commissioners are good?—Exceedingly so.

28767. When a project is once put into a road scheme, who sanctions the selection of roads on that scheme?—There are two classes of roads; there are the provincial roads, which are trunk lines or important feeders; they are sent up to the Lieutenant-Governor and he approves of them; those are all roads constructed out of provincial revenue.

28768. Who determines on the priority of construction of these feeder roads?—Probably the Collector will suggest the road in the first instance; then the Superintendent Engineer consults with the Commissioner, and the estimates are made out.

28769. Suppose there are three roads on a road scheme, who has the final say as to which is the most important of these roads and which shall be the first to be begun?—Unfortunately in these provinces there is no list of urgency at all; in the Punjab we were accustomed to work with the order of urgency.

28770. Who arranged the order of urgency?—The Financial Commissioner and three Secretaries to Government arranged that (in the Punjab) after hearing the Commissioner's views; here, so far, I have not seen any case of that practice being adopted.

28771. What is the practice adopted?—In this province an estimate is simply dealt with on its own merits as it comes up.

28772. It is a sort of haphazard business?—I think the Lieutenant-Governor probably knows better than anybody else which road should be made first.

28773. Suppose there was a certain number of roads on your road scheme, could the Superintending Engineer select one of the roads and proceed to make it without the knowledge of the Commissioner?—It would be absolutely impossible.

28774. So that somewhere from the Commissioner comes an order to the Superintending Engineer to set to work on road A or B?—Yes; every road estimate passes through the hands of the Commissioner, whether it is to be done from local funds or provincial funds.

28775. Then the Commissioner at all events, in the matter of roads, has a complete control over the Public Works department?—In the recommendation of projects certainly.

28776. Not in the technical construction of the roads?—No.

28777. (*Sir Steyning Edgerley.*) Have you nothing to do with the *personnel* of the Irrigation Department?—No.

28778. Would you be ready to carry your idea of the measure of control vested in the Local Government so far as making the Engineering Department provincial?—It would be very desirable to have Provincial Engineers for District Board works under the Collectors and Commissioners.

28779. In Bombay and Madras the whole department is provincial right up to the Chief Engineer; in the Punjab and here it is split into two, and part of the appointments are with the Government of India. Would you care to follow the Bombay and Madras system, and have a provincial department?—I think not. It is very desirable that the control of promotion to Superintending and Chief Engineers should remain to a certain extent in the Government of India; there should be more interchangeability between provinces of men as they become senior.

28780. You do not find yourself in any great difficulties at the present time?—No. My only difficulty is that I do not know my staff, but that is a difficulty you get over in a very little time because you see so much of their work on paper.

28781. You think the Code is not very satisfactory?—It might be very much improved and simplified without removing the necessary control of the Government of India.

28782. To what extent is the control of the Government of India necessary as regards Public Works?—I think in higher appointments, matters of recruiting, it must certainly have the prior say, and in the rules laid down for audit and probably also for budgeting.

28783. But as regards the actual work of the year?—I would leave a great deal more to the Local Government.

28784. You mean within the limits of sanction?—Yes.

28785. Has the Public Works Audit Department ever been overhauled and examined?—There was a Government of India Committee sent about eighteen or twenty years ago to simplify forms, and a great deal of good was done by that. That was the last occasion to my knowledge.

28786. Ought that to be done periodically?—I think so, because experience in practical working brings many little matters to light.

28787. It was suggested to us by one witness in the Central Provinces that the distinction between imperial and provincial works was sufficiently guarded by the grants which the Government of India make for imperial works, and that the code distinction between imperial and provincial estimates was an unnecessary addition to that?—I have never found any difficulty or delay in dealing with works from that reason.

28788. Your powers as a Local Government as regards imperial works are very much smaller?—Yes.

28789. Is that right?—No; I would give increased power of sanction under imperial works, because it would save the Government of India a number of references on technical matter which the local officers could very well deal with; but not to the extent that the Local Government should not have control over its own expenditure.

28790. As regards powers to be given to the Superintending Engineer, your suggestion is Rs. 50,000?—Yes, a lakh of rupees for provincial works.

28791. Certain works have to go to the Government of India architect?—Yes, anything costing over Rs. 50,000.

28792. Is that limit high enough or low enough?—It is difficult to fix a limit in anything to do with the architect; you may have a work costing only Rs. 25,000 in which expert advice is most essential.

28793. Is it right that the consultation with the architect should be obligatory?—There should be a certain amount of discretion left to the Head of a Department in a province. For instance, here we are going to build a boarding-house or hostel for the Medical College which will cost 3½ lakhs; it is practically a barrack. Under the rules we have to send that up to the architect of the Government of India; that is unnecessary.

28794. I understand you do not want any hard and fast rule on that point?—No, there should be no limit; it should be simply left to the discretion of the Head of the Department to take the orders of the Lieutenant-Governor as to whether there should be a reference made to the Government of India architect or not.

28795. Occasionally it might be the case that the Superintending Engineer's work ought to go to him?—Yes, I think so.

28796. Suppose you gave a Superintending Engineer powers up to a lakh; he would have to discriminate as to whether he wanted the architect's views?—Yes, he would have discretion as to that.

28797. Since you have been at work out here have rates risen very much?—Very much indeed. Speaking of my old experience in the Punjab, I should say 33 per cent. at least as the rise in labour. I am told it is 25 per cent. in the United Provinces.

28798. The old limits of sanction and so forth, fixed thirty years ago, have therefore by this time rather reduced the power of all the officers concerned?—Yes.

28799. So that before you begin to consider whether they should have more powers that ought to be rectified first?—Yes.

28800. In the Central Provinces they put the rise in rates as high as 75 per cent. to 100 per cent.?—On the experience of the Punjab I could put it at 50 per cent., but it varies very much.

28801. Are you restricted at all in the power of appointing your Upper Subordinates?—The Government of India appoints the Upper Subordinates. So long as they are drawn from Engineering Colleges the Government of India must be allowed to have a look in, because it has to deal with men who are going all over India.

28802. Could that not be arranged between you and the Principals of the College?—Yes.

28803. You would send in your indent each year?—Yes, that would be a very good arrangement; each Chief Engineer of the province would indent on the Principal of the College; it would bo recognised that he would have to take so many here.

28804. Would that save a great deal of work?—Yes, and under a system of that kind more appointments could be given to outsiders who had proved their worth; that would be an advantage.

28805. If that could be done, is there any other reason why the appointment of these Upper Subordinates should remain with the Government of India?—None whatever.

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28806. You say that you have this preliminary budget prepared in February, and you give all your Engineers notice of it?—As soon as it is passed by the Financial Secretary to the Local Government.

28807. If that is done, what is the harm of sending a copy of it to the Government of India?—At present we are obliged to do it.

28808. But you suggest that it should not be done?—Not in detail. One is rather apt to rush the detail in January and February; the details are called for by Superintending Engineers in September, and it is almost impossible to forecast detailed expenditure six months before the commencement of the financial year.

28809. Is the budget given in detail in February?—The Superintending Engineers begin to prepare their details in October, and they send them in at the end of December; those are dealt with in the preliminary issue of the budget in January, which is reported to India in lump sums by telegram and letter, and then the details go on the 15th of this month.

28810. You do not think they want that?—I do not think the Government of India need be worried with the details.

28811. If it went up in February it would give you a little more time to instruct your Engineers?—Yes.

28812. You say you send them a six-monthly budget in October?—The budget for the year; 15th February is the final issue.

28813. Your budget itself, you say, goes to about 450 pages?—Yes, that is unnecessary.

28814. But is that not entirely within your own discretion to reduce?—Yes, I think it is.

28815. Is this return of stores of which you speak, which you say runs to something like 165 pages of print, required by the Secretary of State?—Yes.

28816. Would you be in favour of a policy of encouraging local purchases as far as possible?—Up to a certain point only. The proper thing to do is to have a local depôt on a very large scale to be maintained in consultation with the Director of Stores in England so far as it is possible to foresee local requirements at a local depôt; then when you have an urgent call for something which is not in the depôt there should be power to purchase locally. There is a great advantage in getting things from home.

28817. Looking back on the last thirty years, is the country more ready to supply in the country almost all the stores which you could order?—Certainly; particularly in engineering. The engineering firms out here have better materials and better engineers to advise; they send out much better designs than they used to do twenty years ago; there has been an immense improvement in that respect.

28818. Do you think you could supply yourself entirely out here by orders placed locally?—Very nearly completely—of course at greater cost.

28819. The cost would gradually decrease I suppose as they got the trade?—Yes.

28820. (*Mr. Meyer.*) Do you regard the audit system in the Public Works Department as more stringent than in the Civil Department?—I have no real experience of audit in the Civil Department; I am not in a position to say.

28821. Speaking generally, what matters could be simplified?—Vouchers and the duplication of returns. A very large number of returns in the Public Works Department which the Code enjoins are rendered in unnecessary detail and in some cases almost in duplicate.

28822. You recognize that the Public Works Department is a department in which there is a considerable scope for fraud on the part of subordinates?—Yes, but the present system is so complicated that fraud is really likely to creep in. If you were to keep your initial accounts of measurements and cash books simply for the disbursing officer, you would get as far as you could in eliminating fraud; you cannot eliminate fraud higher up—forgeries and so forth.

28823. I do not say it is a good thing otherwise, but might not a multiplicity of accounts check fraud; a man might fudge five accounts and forget a sixth?—That is so, but speaking, as an Engineer, I should like to see the initial accounts of disbursing officers simplified, so as to give them more power to attend to outdoor work.

28824. You say "If the Local Government were given discretionary powers in dealing with the interpretation of an order"—what sort of powers do you propose to give to the Local Government?—Suppose some irregular expenditure is reported to the Local Government by the Examiner of Public Works Accounts, and the Chief Engineer differs from him and considers that the expenditure is reasonable; the Examiner falls back on the Code; he says "According to the Public Works Code I take this view of the reading of the rule" and he will very likely support that by another Resolution of the Government of India; if he chooses to say that he will not go back from his opinion, a reference to the Government of India in the Public Works Department becomes obligatory; the Lieutenant-Governor has no power to over-rule the local Examiner of Accounts.

28825. Are you referring to recurring or non-recurring expenditure?—Miscellaneous expenditure, generally non-recurring.

28826. Does not section 278 (A) of the Civil Account Code give the Local Government power?—I am afraid I do not know anything about the Civil Account Code; we never work to it.

28827. There is a section which allows the Local Government to go outside the rules so long as it is not infringing the principle of them up to Rs. 1,000; have you no such rule in the Public Works Code?—There may be such a rule.

28828. Is that the sort of thing you have in your mind?—Yes.

28829. Suppose there is a restriction laid down by the Government of India in regard to the sanction of work, you do not mean that the Local Government should be able to relax that?—No.

28830. You desire that the Government of India should be kinder to Local Governments in the matter of roads and railway bridges. You are aware that the amount that the Government of India can raise for railway construction is rather limited?—I thought they could raise almost any amount they liked.

28831. Have you never seen complaints of the commercial community and other people that the railway programme is strictly limited? The railway programme is carried out mainly from borrowed funds, and that depends on the state of the market; therefore, is there not justification for the Government of India confining their expenditure to what is really railway expenditure and not throwing in roads?—Local Governments are very often put into a very awkward position when they are asked whether they will have a road or a railway bridge.

28832. Again you say that the Government of India should help the Local Government whenever anything special happens; does it not do so in the case of famine or anything serious?—Yes, in the case of famine.

28833. The resources of the Government of India come in the long run from the taxation which it shares with the Local Government?—Yes.

28834. It it adopts a more liberal policy, such as you advocate, to the Punjab or any other province, it means in the long run that it will have to take away from some other province?—I cannot say I know enough about the matter to answer that.

28835. Similarly, as regards loans to local bodies, it is very nice for a municipality to borrow from the Government of India at 3½ per cent. instead of borrowing from a bank at 5 per cent. But are not the resources of the Government of India limited, or do you regard them as having a Fortunatus's purse?—The security is good, and the object for which the loan is wanted is admittedly a good one. I do not recommend loans being offered by the Government of India to a Corporation simply for any kind of public work; it should be limited to works of utility such as those I have mentioned.

28836. Do they not lend now from the local loans account?—They do, but not in the case of big municipalities.

28837. Would you be in favour of breaking up your provincial budget a bit and giving a certain amount divisionally for the Commissioner to sanction instead of the Government?—Every Commissioner should have an annual allotment for what are technically called minor works; that is to say, small works up to Rs. 2,500.

28838. What does your Public Works budget amount to here?—About 55 lakhs, but that is not on works only; establishment, repairs, tools and plant swallow up more than half.

28839. Of course you must keep a certain amount at headquarters for establishment and for emergencies, and so forth, but the suggestion is that the other matters the Commissioner might deal with: that instead of having a struggle between different Superintending Engineers which you and the Lieutenant-Governor decide at headquarters, you might make Commissioner the sanctioning authority; is there anything in that?—It never occurred to me to think about that for provincial expenditure, but for local expenditure by the District Board they might have a great deal more powers than they have.

28840. They can sanction up to Rs. 10,000?—Yes, but I would go far beyond that; I would give the Commissioner and the Superintending Engineer power to sanction anything up to a lakh of rupees.

28841. That is what you may call the professional and individual sanction, but in the District Boards Commissioners now sanction on the budget *en bloc*?—Yes.

28842. You would not have a similar budget sanction for provincial works?—There are nine Commissioners; if you gave each of them a lakh that would mean that nine lakhs out of the budget would go for provincial works. I do not think, with the present allotment, you should give them so much as that.

28843. Why should they not sanction original works too?—There would not be much left for the province as a whole.

28844. The province as a whole consists of divisions; the expenditure is now carried on in divisions; it is not all concentrated at Allahabad or Lucknow?—There is a great tendency now to concentrate in a few local centres; at the present moment, for instance, the chief expenditure here will be at Cawnpore. There is the Agricultural College and the Technical College, and there will be a great deal of expense there—more than at Lucknow.

28845. Might you not counteract that by guaranteeing each division a certain amount and keeping a pool?—Certainly, but the difficulty would be to fix the amount.

28846. In principle you are in favour of it?—Yes; I agree, undoubtedly.

28847. I suppose the Government of India must in any case have details of the imperial works that are proposed to be constructed?—Certainly.

28848. As regards the provincial work, do you simply propose to say, "We intend to spend so many lakhs in establishments, so many lakhs in buildings," and so on?—Yes, under each major head of the budget establishment, repairs to communications, original works communications, and so forth.

28849. You are aware that the Government of India have frequently had to cut the provincial works budget on the ground that the estimates would not be worked up to?—Yes, I have known instances of that.

28850. As a matter of fact, they have never been worked up to?—I have known instances where they have not been worked up to.

28851. In scrutinising the budget from the probabilities point of view, is it not rather important to know the amount which you are putting into new works?—I think not, not from the Government of India's point of view.

28852. A new work may be delayed. People are always sanguine about beginning a new work early; you get difficulties between authorities, difficulties on the plans and so on, whereas a work in progress goes on and maintenance charges are more or less fixed?—That is so.

28853. Therefore the amount that you over-estimate in a budget, if you do over-estimate, is practically determined by the new works?—Yes, but the Local Government has power to re-appropriate, and should have power to re-appropriate any excess of estimating in new or any other works.

28854. I am speaking of the Government of India's point of view, which is that of accuracy of estimating; if they find that you have a lot of new works in your programme, they have a greater ground for cutting down your estimates in the interest of probability than if you had hardly any new works?—Lapses and over-estimating should rest entirely with the Local Government.

28855. (*Mr. Hichens.*) Are you satisfied that the Audit Department exercises an effective check over your expenditure?—Yes, very effective.

28856. If any fraud were perpetrated, would they be safe to discover it?—Yes, I think so.

28857. I understand that you see no objection to having uniform accounts for Public Works?—No, I think it is most desirable.

28858. Also, you would agree to an independent audit by the Government of India?—Yes. The audit now is independent in so far as the Examiner reports to the Accountant General in the Public Works Department of the Government of India; that would be essential.

28859. But with regard to the Public Works Code, would it be better to have one Code for the whole of India or would you have a Code for each province?—There should be one for, say, from Peshawar down to Calcutta, another for Bombay, and another for Madras; there is sufficient variation in procedure to warrant three codes.

28860. You do not think it is desirable to have one for each province?—No, that would be too minute a sub-division.

28861. With regard to many matters the Public Works Code might safely be substantially modified in each of the provinces to which you allude?—Yes, I think so.

28862. For example, the regulations with regard to official residences give you a great deal of trouble?—They do.

28863. Is your suggestion that you should have a substantially freer hand?—I think the Local Government should be given a freer hand, because it knows the circumstances better.

28864. Should the Local Government be allowed to decide for itself its own rules?—No, I would leave the rule as to residences almost exactly as they stand, but instead of rendering a reference to the Government of India obligatory for reduction of rentals and so forth I would leave it to the Local Government. The rules as they stand are good; they are businesslike and sound; if they were less stringent they would be abused in many ways.

28865. Practically you would allow the Local Government to make exceptions?—Yes; to be the Court of Appeal.

28866. That being so, they might adopt their own rules?—Yes; I have no objection to that.

28867. And it might be the same with regard to other matters, too?—Yes, there are many matters which might be dealt with similarly.

28868. It does not necessarily follow that uniformity is desirable as between, let us say, the northern provinces and the southern?—Not necessarily.

28869. Is there any advantage in allowing a Local Government to work out its own regulations, to a large extent?—The reason for uniformity in Northern India is that transfers in the Public Works Department never occur between Madras, say, and the United Provinces; transfers between the United Provinces and the Punjab, and between Bengal and the Punjab, are not frequent, but they do occasionally take place, and it is of great importance that the officers transferred should have the same forms, the same procedure, the same Public Works Code, in any province in Northern India they are transferred to.

28870. The only officers who are transferred are the upper ones?—No; the Executive Engineers are also transferred by personal request; that is a very common thing.

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28871. Not on the provincial *cadres*?—Yes, on the provincial *cadres*.

28872. Is that the only reason you would give for uniformity?—It is the only one of any weight, I think.

28873. Would it be expecting too much if, when an officer was transferred, he was required to assimilate rules which might vary in certain particulars?—Yes, it would be rather difficult for him.

28874. How far are you prepared to go in allowing freedom to the provincial Government in regard to the purchase of stores?—The Local Government should be given freer power than is at present vested in it for the local purchase of stores.

28875. Would you be prepared to say that the Local Government should be able to decide for itself whether to purchase its stores locally or at home, whether it should call for tenders from both, or from one or the other?—Yes. The other day a famine came very suddenly upon these provinces, and one of the most essential things is to be ready for Public Works as soon as famine shows anywhere. We set to work at once to supplement our store of tools; our store up to the limit fixed by Government was complete, but the Lieutenant-Governor said, "The famine will be far more grievous than was anticipated; we must increase our stores." We set to work to increase our stores at once, principally spades and pickaxes, and so forth, and we have just received a letter from the Home Government to know why we contravened the rules. I think that in a case of this sort the Local Government should have absolute power.

28876. (*Mr. Dutt.*) You say that the Divisional Commissioner is always consulted in the matter of works within his own division undertaken year after year?—As to roads and to a certain extent civil buildings—anything to do with the cutcherry.

28877. Is his formal approval taken?—He signs every estimate, not merely as a matter of formality but he reads the reports. There is a half margin form used, and the Commissioners are in the habit of using that half margin very freely indeed.

28878. Has he a potent voice in deciding which works shall be taken up this year and which the next year, and so on, within his own division?—Certainly.

28879. Practically the Superintending Engineer decides that in consultation with the Commissioner?—Yes; the connection between the Superintending Engineer and the Commissioner is very close indeed in this province.

28880. No difference of opinion has come to your knowledge?—None.

28881. You have told us that all works undertaken by District Boards over the value of Rs. 1,000 are executed by your District Engineers, men of the Public Works Department; is there not a proposal that the District Board should employ their own Engineers?—I am absolutely in favour of that myself, but of course I cannot make any proposal of that kind in a province to which I have only just come. I should like to see it for many reasons.

28882. If they had qualified Engineers, you would allow them to construct their own works up to a certain amount?—Yes, subject to a general supervision by the Superintending Engineers. I assume that the Superintending Engineer and the Commissioner both have the interests of their division at heart jointly, but I would let every District Board have its own Engineer.

28883. What schemes of the District Board now require the sanction of the Superintending Engineer and the Commissioner?—Above Rs. 1,000 everything practically. The Commissioner does not take the opinion of the Superintending Engineer when the estimate is under Rs. 10,000, he sanctions it himself; but in many instances, not being a professional man, he does consult the Superintending Engineer or the Divisional Engineer; he consults whom he wishes.

28884. If the estimate is under Rs. 1,000, it does not require the Commissioner's sanction?—No.

28885. You have told us of the Roorki College and of the desirability of giving diplomas to men as provincial Engineers who might be employed with advantage under District Boards; does the Roorki College train Engineers now from all parts of India?—No, only from northern India; Bengal has its own College at Sibpur, Bombay has its own College at Poona, and Madras has its own Engineering College.

28886. Do these Engineering Colleges train up to the same standard as Roorki?—I do not know. The Roorki College I know a good deal about because I have seen their papers; their standard is a very good one.

28887. Roorki is limited to students of northern India?—Yes, from the Punjab, the United Provinces, and admission from Bengal can be secured under certain conditions.

28888. You are not aware that the standard of education in Roorki College is higher than the standard in Madras or Bombay?—No, I do not know that.

28889. Has the Local Government power now to grant loans to local bodies under certain restrictions?—Yes.

28890. Has any concrete case come to your notice in which a local body has been fettered under the rules and prevented from taking loans which it would otherwise have had?—Yes, the municipality of Lahore some time ago wanted a loan; it applied to Government for the loan on the usual terms; the proposal was negatived by the Government of India, and the municipality was told to raise the loan in the local market, so they went to the Bank of Bengal.

28891. Was it refused by the Local Government, because the Local Government had no power to grant the loan, or because the Local Government thought it ought to be raised on the local market?—I have always understood that they were acting under the orders of the Government of India in the matter.

28892. Have District Boards sufficient power to raise loans for feeder lines and so on?—No, I think that would be most desirable, as has been done in Madras.

28893. Would you place any restrictions to prevent them going in for improvident ventures?—They should be left to themselves; they have got professional advice and they have got the Commissioners; I should leave them unfettered I would let them report to the Government.

28894. But should not the Government have the power to vote such an undertaking if it thinks it is not desirable?—I suppose that would be in accordance with Indian traditions.

28895. Does the right of appeal, as it now exists, give you any undue amount of work?—No, not in my department.

28896. (*Sir Frederic Lely.*) When you speak of the Commissioner being associated with the Public Works budget, do you refer to works of other departments?—The Heads of other Departments make their budget in consultation with the Public Works Department; they have a grant put at their disposal.

28897. So far as you know, they do not consult the Commissioner?—They would in the matter of a hospital; the Inspector General of Hospitals would not propose anything in this budget without consulting the Collector—not the Commissioner.

28898. Would it be possible to arrange for the building of a high school in a place without the knowledge of the Collector of the district?—Absolutely impossible.

28899. Is there anything in the rules to prevent it?—The executive rules say that every estimate must be sent to, and seen by, certain people; a high school would have to go first to the Collector and then to the Head of the Educational Department; it goes through three or four hands.

28900. The Head of the district has to sign the estimate for every work?—Take a police station; the Collector has to sign everything.

28901. That is all round the case, is it?—Yes, in the case of every department.

28902. Is it considered that in the district the Executive Engineer is on an entirely independent footing from the Head of the district?—It depends a great deal on whom the man is; if he is a Gazetted Officer who has come out from England, he is perhaps

a little more independent than a man who has come through Roorki; but I think there is no subordination on either the one side or the other; in most cases there is a spirit of *camaraderie* which works very well indeed.

28903. Where that spirit of *camaraderie* exists it depends upon the personality of the men?—Yes.

28904. I heard an Executive Engineer once describe his Collector as merely his bailiff to collect his rents; that is rather a bald description of the relationship; but, broadly speaking, do you take it as more or less true?—If a man has tact he knows perfectly well that the Collector is the Head of the district and he is bound to consult him if he wants to get on with his work, and all the sensible ones do; I do not think they look upon it as subordination.

28905. (*Chairman.*) With regard to the sanction of estimates, under your proposals a Superintending Engineer would for imperial work be able to sanction estimates up to Rs. 10,000, and for provincial works up to Rs. 25,000, and for local works anything over Rs. 10,000?—Yes.

28906. Eventually he would have power to sanction estimates for imperial works up to Rs. 50,000, and for provincial works up to Rs. 1,00,000?—Yes.

28907. What is the reason which requires a difference in his power of sanctioning estimates for imperial and for provincial works?—It is following up the present practice, which limits the sanction of Superintending Engineers in imperial works very rigidly; he can sanction at present only up to Rs. 500.

28908. But what is the reason for the differentiation which is made?—I cannot say; the Government of India in sending out proposals the other day repeated this differentiation. I suppose they wished to have a better control over their own works.

28909. Is not an imperial work, say, up to Rs. 50,000 carried out under the direction of the Superintending Engineer?—Yes, entirely, once it is sanctioned.

28910. But do the estimates go up for check (supposing they are over Rs. 50,000) from him to the Government of India?—Yes, they are sent up with plans to the Secretary of the Government of India in the Public Works Department.

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28911. Then the reason is that the Government of India are unwilling to trust a Superintending Engineer beyond a certain point, while the Provincial Government would trust the same officer up to a much further point?—That is so.

28912. Speaking from the purely technical point of view, is there any good reason for this differentiation of power?—No, I do not think that Government of India works estimates are a bit more complicated than the provincial works estimates; there is no difference in them; they are mainly buildings.

28913. Is the same differentiation observed with regard to the sanction of contracts?—No. Contracts are under a different ruling. There is no difference between the power to contract for an imperial work and the power to contract for a provincial work.

28914. Under the proposals made by the Government of India, what would be the power of contract in the case of an imperial work?—Up to a lakh of rupees.

28915. They can sanction contracts up to a lakh?—Yes.

28916. And the provincial contracts will be sanctioned also up to a lakh?—Yes.

28917. Then for local works?—For local works they would have the same power.

28918. (*Mr. Meyer.*) Are not estimates—prepared in all good faith—habitually exceeded?—Not habitually.

28919. Frequently?—When there is any novelty in design, or when alterations are asked for subsequent to sanction by the department concerned.

28920. Provincial works are pretty fairly correctly estimated?—That is so.

28921. Is that the difference; if the estimate is exceeded, in the one case the Local Governmeat pays, and in the other case the Imperial Government pays?—Yes.

(*The witness withdrew.*)

Mr. N. F. McLEOD was called and examined.

28922. (*Chairman.*) You are the Secretary to Government in the Public Works Department, Irrigation Branch?—Yes.

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The total capital expenditure on irrigation works has amounted to 10¾ crores of rupees, the annual expenditure at present being 36½ lakhs from imperial funds for construction works, and 38 lakhs from provincial funds for minor works and working expenses. On the systems open for irrigation there are over 14,000 miles of canal and drainage channels, the irrigated area in 1905-6 amounted to 3½ million acres and produced crops to the estimated value of 13½ crores of rupees.

The maintenance of these works, and the regulation and distribution of supply are in the hands of Irrigation Officers, who also measure up the area irrigated, and assess the water-rates thereon, the demand statements being thereafter forwarded to the civil officers for collection. In 1906-7 the gross receipts from water rates and other miscellaneous revenue amounted to 109½ lakhs of rupees, while a further sum of 16½ lakhs was credited to the irrigation accounts for enhanced land revenue. Canal Officers who have magisterial powers can take up cases under the Canal Act VIII of 1873, their decision being subject to revision by the District Magistrate, and to each irrigation division a Deputy Magistrate is attached with power to take up cases under the Canal Act VIII of 1873, and to assist Divisional Officers in revenue matters.

All Irrigation Officers are expected to keep in touch with the District Officers, and to advise them on all matters of irrigation, drainage, and other works to promote agricultural effect.

The Chief Engineer in the Irrigation Branch is the adviser of the Local Government in all matters of irrigation development or drainage improvement in the province, and on engineering establishment, finance, and revenue matters connected with the department. He exercises general administrative control over his department, and, concurrently with the Examiner, over the accounts of expenditure. He is also professionally responsible for the character and design of all works submitted to the Local Government on his recommendation.

The Code as a whole should be revised; as it stands, it is complicated, not too well arranged, and overlaps the general rules which affect all departments, and in some instances the rules do not agree. Thus in the Civil Service Regulations, article 188, it is stated that the power to grant transit pay to an officer who has no substantive appointment is vested in the Local Government; whereas in Public Works Department Code, 474, note, it is stated that the authority who is competent to transfer such an employé is also competent to grant transit pay. In particular, every Public Works Officer would greatly welcome a revision and simplification of the accounts system, especially in matters of audit, whereby the present account correspondence might be reduced.

The operations of the Irrigation Branch fall under the three main heads of (1) productive works, (2) protective works, (3) minor works, irrigation and agricultural. For the latter, funds are provided from provincial revenues; for the two former by the Government of India. In general, funds have been provided in accordance with requirements, though in the case of provincial minor works, and in especial of agricultural works, it appears likely that funds will be required to a considerably larger extent than can be immediately provided from provincial sources.

Transfers of officers have not been unnecessarily frequent. The expansion of new works has been very great in the past few years, and the strength of the establishment is barely sufficient to cope with it, the margin to provide for leave and casualties is too small, and transfers have in consequence, in some cases, been unavoidable.

28923. How many irrigation circles have you?—Four.

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28924. You say to each irrigation division is attached a Deputy Magistrate; what do you mean by saying "attached"; does he do nothing else?—No, he is posted to the division.

28925. The distribution of supply is in the hands of Irrigation Officers?—Entirely.

28926. Does that mean the actual distribution of water to the fields?—No; we deliver it at the outlet; the ultimate distribution is left to the cultivators.

28927. To the panchayats?—It is generally left to the cultivators; if there are co-sharers either in a village or other villages we divide it amongst them by time.

28928. You deliver it to the village?—We deliver it at the point of outlet to the village or to the people who irrigate from that particular outlet; it may be three villages.

28929. You do not actually distribute it from field to field?—No.

28930. You assess the water-rate?—Yes.

28931. You do not assess the land revenue?—No.

28932. You do not collect the water-rate?—No; a demand statement is passed in to the Collector to collect. It is collected by the revenue officials.

28933. You say you are expected to keep in touch with the District Officers; what are your orders exactly on that point?—That they may apply to us on any point where they want advice on irrigation or drainage or any agricultural work; also that all matters of distribution of water and new projects have to be referred to them first.

28934. Before you can begin to construct?—Before it comes up for sanction; it may affect land revenue; it affects rentals, and so on, and we have to send it to the District Officer before it comes up for sanction.

28935. To whom?—Either to the Secretary to Government in the Public Works Department or the Chief Engineer.

28936. Suppose a District Officer had any cause to complain or had reason to believe that there was some breach in an irrigation channel or some matter of that sort, what would he do?—He brings it to the notice of the Executive Engineer.

28937. He cannot go to a subordinate?—He can always report such a matter to the Sub-Divisional Officer; he can go straight to him; if he sees that the channel is not in order he brings it to notice; if he sees the water spilling across the road he draws attention to it.

28938. Would the Sub-Divisional Officer take that as if it was an order from the Executive Engineer?—Yes, he would put it right.

28939. You say that you exercise general administrative control in your department. Do you examine each scheme that comes up to you in technical details?—In certain instances only; if they are of a special character or if they are over a certain margin of cost. By the present limit of powers a Superintending Engineer can sanction nothing, so it necessarily has to come up; one often sanctions the original estimate without going into detail.

28940. So that, though the Superintending Engineer theoretically has no responsibility, as a matter of practice you throw the whole thing on him?—We have to.

28941. Up to what extent would you thus practically throw the responsibility on him?—It depends whether he knows the tract or something of the work; if an officer has only been there a few months, I certainly exert more control than if it is a man who has been there three years and knows his tract.

28942. In the case of the latter man what would you allow?—Anything under, say, Rs. 5,000 I should generally pass; over that, other considerations come in.

28943. With that experience in your mind, would you very largely increase the powers of the Superintending Engineer?—I have put it down at Rs. 25,000; I would not go beyond that for an irrigation project.

28944. There is a considerable difference between the suggested sanctioning powers of a Superintending Engineer for roads and a Superintending Engineer for irrigation?—Yes; in any case irrigation projects have to come up to us for reference to the Board of Revenue if it is over that amount.

28945. What is the service of a Superintending Engineer?—Eighteen to twenty-two years.

28946. He passes from that to a Chief Engineer and from Chief Engineer up to the Secretary to Government?—Yes.

28947. Is there any province in which a Chief Engineer is not the Secretary to Government?—The Central Provinces only, it used to be so at least.

28948. Then practically a man would jump from the Rs. 25,000 limit up to a position in which he would have practically the whole powers of the provincial Government behind him?—Yes.

28949. Would it be well therefore, as a man gets senior in the service, to gradually extend those powers?—Where one could do so.

28950. Bearing that in mind, would you reconsider your answer about the Rs. 25,000 limit?—Yes, I should go beyond that. He ought to have the education by that time to be able to sanction anything.

28951. It is not well to give officers responsibility as early in their service as you can?—Certainly.

28952. Having all these considerations in mind, what limit would you assign to the Executive Engineers?—You would have to grade them according to age.

28953. Are not Executive Engineers graded?—They are, but they come in very junior.

28954. Take the first grade, up to what limit would you raise his powers?—Up to, say, Rs. 10,000; we are given that power in certain cases now.

28955. What are your limits of sanctioning estimates now in imperial works?—Rupees 25,000 on an open capital work, Rs. 50,000 on an imperial work, and 10 lakhs on a provincial work.

28956. That is, estimates and contracts?—Estimates only.

28957. And as to contracts?—They go up to the limit of sanction for estimates.

28958. Is there any reason why there should be a differentiation between imperial and provincial works?—No.

28959. Some questions were put by Mr. Meyer to the last witness with regard to the exceeding of estimates in the case of imperial works; has there been any considerable excess of expenditure?—We can go up to 10 per cent. over the estimate.

28960. Do you often do that?—Not often; occasionally in an irrigation work it does go over.

28961. When an Engineer, either Superintending or Executive, has a very serious excess of expenditure over estimates, is any notice taken of that departmentally?—There has not been recently.

28962. Ought there to be?—You might make it more stringent, but most of these excesses are in the nature of things unavoidable. Take the case of a canal into a certain tract; it is provided for such and such an area; by the time the work gets well in hand, reasons come up why it should be expanded to serve a larger area.

28963. But when a work is completed within the area originally proposed and there is a serious excess of expenditure, would you regard that as a mark against the officer who prepared the estimate?—Yes.

28964. Is it so regarded in practice?—Not always.

28965. Have you known any case of an officer reprimanded?—I have known cases of an officer having himself to pay the difference.

28966. Is that very exceptional?—I have known of three cases in my service.

28967. In this province you have not had the full delegation made to you that you might have?—No. Those code rules are rather abstruse, and we have delegated full powers to officers.

28968. The new proposal will give you greater latitude?—Yes.

28969. Is the latitude, which it is proposed to give you, sufficient?—Yes.

28970. You would not exceed it?—I do not think it is necessary to exceed it in our case.

28971. (*Mr. Hichens.*) Have the Irrigation Officers anything to do with the remission of water-rates?—Yes, we can remit anything.

28972. It is entirely in your hands?—In a measure it is in our hands. We are always in direct consultation with the Collector. If there is any calamity, such as hail, we take up the case and send him our proposals, and if the calamity is very widespread he sends us his village list of damage and we re-assess.

28973. You do not do the collecting?—No, and I do not think we should. The Collector does not know the details; he does not know that the charge made against the individual is correct; he takes that on our authority.

28974. I suppose it sometimes happens that a man comes and wants his account explained?—When we measure up a field we at once hand over the demand statement to the individual, and he can appeal to us at once.

28975. But he may not be there?—We give him ample latitude.

28976. In any case, if he does want an explanation, or if a mistake is made, he has to go to your officers?—Yes; all objections come to us to be dealt with.

28977. Would it be better, in the interests of good administration, that you should collect?—I think the present is the simpler method.

28978. When indents are made for home purchases, do they go through the Government of India?—They can go now, a great number of them, direct to the Stores Department by telegram.

28979. (*Mr. Dutt.*) You have told us that the productive and protective works are imperial and undertaken by the Government of India and that minor works are provincial and undertaken by the provincial Government; the total expenditure on these works amounted to $10\frac{3}{4}$ crores of rupees; is that for all the works all told?—Yes. They have been treated differently at various times. At one time our provincial works were paid by the Imperial Government; then they were thrown over into our own hand; we have just had a change in the reverse direction. Some of my canals in the past year have been taken from provincial and put into imperial; so I have had to give you the lump sum.

28980. The plus receipts from water rates were 109 lakhs of rupees?—That was the direct revenue assessments for one year.

28981. So that that gives a return of about 10 per cent.?—All told, it gave us a return of 9·0 per cent. for that year.

28982. Is that the gross return or the nett return?—That is the gross return, excluding interest charges. Our protective works are not paying; the best canal of all pays us about 18 per cent.

28983. Are the water-rates fixed by the Imperial Government or by the provincial Government?—By the Imperial Government.

28984. On protective and productive works?—On everything.

28985. On minor works also?—Everything at present. There is a suggestion that we have just been making that we should have greater latitude. At present it takes such a long time that the effect very often has gone before you can get the work through.

28986. Are the rates different for different crops?—Yes, different kinds of crops.

28987. Would it be possible to simplify that?—Not now. In the beginning we might have had one rate all through which would have come down to a volumetric basis; that cannot be done now; the cultivator who has been calculating so long on these rates knows that the crop is a two-rupee crop or whatever it may be, and he cannot understand and will not understand any levelling up.

28988. You think you are bound to keep up the system which has been in force so long?—Yes, on the whole.

28989. You have not corrected that mistake since?—No; I do not believe in tampering too much with rates.

28990. Certain changes have been made in the rates themselves; the sugar-cane rate was raised from Rs. 5 to Rs. 10, and so on?—In the course of time the rates are changed.

28991. In the matter of land revenue the assessment is revised once in thirty years; is there any rule as to the number of years after which any change in the water rate is allowable, or is it made when Government think it necessary?—No, there is no limit.

28992. So that whenever Government think it necessary they can introduce changes?—Yes.

28993. As a matter of fact, was not the last enhancement made in 1892?—In 1898.

28994. There is now talk of another enhancement?—We enhanced it in 1905, or rather, simply varied the rate on the crop.

28995. Are the people consulted when these water rates are altered or varied?—It goes through every Revenue officer; they are all consulted.

28996. But is the opinion of the people taken?—Only so far as we can get it ourselves.

28997. Is not this a matter in which the people ought to be consulted before these alterations are made?—I do not know quite how we could consult them; how are you going to get the opinion of the cultivators? I think the Irrigation Officer knows more about what the cultivator can pay and will pay than anybody else. I may say that the last enhancement of rate was not suggested by the Irrigation Department.

28998. Would it be possible to organize Councils, either in the province or district headquarters, which could to some extent advise the Government in matters affecting the interests of the cultivators?—It is possible, but I have not succeeded in getting an expression of that opinion.

28999. If it was possible should their opinion be taken before these variations are made?—I do not think you would get any effect out of it.

29000. As a matter of fact, were there any great complaints when the water rates were enhanced?—No, except as to the sugar-cane rate; that came at an unfortunate time; I think it was put on at a wrong time.

29001. (*Sir Steyning Edgerley.*) Suppose you carry out some small work for a Local Board, a tank or anything of that sort, do you charge them?—We nearly always waive the charge for contribution.

29002. You do not in theory work for the Boards free, but in practice you do?—We charge them the initial cost of the work, unless I can take it as an agricultural work pure and simple, and sometimes it is done in that way.

29003. You said you thought that these recent proposals of the Government of India gave you as much power as was necessary; apart from necessity or convenience, might more power be safely given in the way of authority to sanction?—I am quite ready to take the responsibility if I have it. If I can go to 10 lakhs in one case I am ready to go to 10 lakhs in another. I do not see that the sending up of the estimate to the Government of India gives much security.

29004. The difference does not really represent very much?—So far the ordinary estimates which are sent up to the Government of India are generally passed, if we can show that it is a remunerative work or give reasons for it as a protective work.

29005. In the United Provinces the engineers to decide on these matters are selected by the Government of India and to a certain extent are their own officers?—Yes.

29006. And therefore might be trusted by the Government of India for their works as far as the Local Government are prepared to trust them for theirs?—I think so in that way.

29007. (*Mr. Meyer.*) Suppose this system was in vogue, that the Local Government could sanction up to 10 lakhs in an imperial work and that owing to faulty estimating the expenditure came to 15 lakhs; would you recommend that the Government of India should pay, or that the Local Government should pay, or that the Engineer should pay?—I do not think you could enforce it on the latter. After all, the only cases where it would come in would be cases of protective works; in productive work you are responsible in the province yourself for the whole of the interest.

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29008. But take an imperial building, a new Currency Office, for instance?—That you might make provincial.

29009. Might it not be reasonable, if the provincial Government is to have the power of sanction, that it should be responsible for all excess over estimates?—To produce the money or the interest on the money?

29010. They have practically told the Government of India that 10 lakhs would do the job, and in my supposititious case 15 lakhs are required; might not the provincial Government be called upon to pay up 15 lakhs?—They ought to, I suppose.

29011. Would they like it?—They would not.

29012. Under those circumstances, is it not more satisfactory that the Government of India should have its own engineers at headquarters who are *prima facie* the best men in the whole department to look at these estimates also?—Over a certain limit I am with you; it is a matter of limit; I put down the limit as the one that refers to irrigation work.

29013. Might the Government of India reasonably say "This is a matter in which, with the best intentions, your estimates may be faulty; therefore, as the expenditure falls on us we will have it checked by our own Chief Engineer"?—I do not know that they do check that part of it as a matter of fact.

29014. Have you never had any estimates that you have sent up sent back for amendment?—Very often; but not in that way. We have had estimates occasionally reduced which we have rather resented.

29015. Have not the major irrigation works in this province been partly provincialised lately under the settlement of 1904 and the settlement of the current year?—We take the whole of the revenue now. We used to pay the Government of India a certain portion—a third.

29016. That being so, is it necessary that the Government of India should sanction the water rates?—No; there has been a later suggestion, that we should have freer power of modification of water-rates.

29017. You desire the limit of sanction of the Local Government to be raised to Rs. 25,000 in unremunerative productive works; what do you mean by that?—It is now only Rs. 10,000; that is again a limit that the Government of India has fixed.

29018. But it seems a contradiction in terms to talk of an unremunerative productive work?—Productive works are divided into two kinds; there are some which bring in no revenue.

29019. You mean they are accessories, and by themselves they are not profitable?—Just so.

29020. You say in regard to remunerative works the limit should be raised to a lakh?—Yes; it is at present Rs. 25,000.

29021. Without reference to the Government of India?—Yes.

29022. But does not the expenditure fall on the Government of India programme?—Yes.

29023. As regards buildings, you say that the Local Governments should have power to write off such portion of the original capital cost as is deemed necessary without report to the Government of India?—That is in the case of calamities and alterations.

29024. A building falls owing to an earthquake, and it has to be rebuilt; at present it would figure in your books for the cost of the old building that fell down and for the new building that replaced it?—The alteration in the one case could be written off by the Local Government, with a report to Government of India for information.

29025. What do you want to do?—Just to get rid of that report; it seems to be purposeless.

29026. We have been told that you have to get the sanction of the Government of India?—It says in the Code "a report being made to the Government of India."

29027. A report would be necessary in the case of imperial buildings?—This code rule is entirely with reference to residences and office buildings.

29028. There are some buildings occupied by, say, Post Office people or by some other Imperial Department?—Practically in every case it comes to the case of a residency.

29029. Would you make a distinction?—There is no object in reducing the capital cost for an imperial building when you are paying no interest on it; you may have it on your books as worth a lakh or worth Rs. 50,000; the result is the same. In the case of a residence there is a great deal of difference.

29030. I am speaking of a residence; suppose you build a house for a postmaster and it falls in?—Then it comes under these residential rules.

29031. Would you make any distinction, or would you give the Local Government a free hand?—I would give the Local Government an entirely free hand.

29032. Do you follow the last witness in wanting to give the Local Government a free hand as regards the fixation of rents; are you not now bound by the 8 per cent.?—It is 10 per cent.

29033. In any case in which it works out over 8 per cent. you have to go to India?—Yes; it must be worked on the average to come up to 8 per cent. of the pay.

29034. Is that necessary?—No; it is absolutely impossible in many cases.

29035. The last witness said he would give the Local Government a perfectly free hand to relax that rule?—So far as my buildings are concerned I certainly should, because we pay for them; we pay the interest on them, and the other part is our revenue; so that we should have to take good care in the matter.

29036. What you mean is, they are productive works?—Exactly.

29037. What do you mean exactly by "transfer of building" under paragraph 1685?—If I have an irrigation building in a district, and it is required by the Revenue Department or the Civil Department for any purpose, I cannot transfer it without the sanction of the Government of India?

29038. You say "The Local Government should be empowered to relax the rules no matter what funds are thereby affected"; that is as to the 10 per cent. charge for supervision, storage, &c., on stores sold to the public. Might you not get some howl from private enterprise there?—These are Local Boards and municipalities and things of that kind.

29039. If you sold them otherwise, it might be said that you were unfairly competing with private enterprise, because they have to take these things into account?—I did not intend that. It only comes into effect on a very small scale.

29040. You say the Irrigation Deputy Magistrate has to assist the officers in revenue matters; how does he assist them precisely?—In any revenue matters; we have a good deal to do with the revenue part of the canal.

29041. He is your technical adviser?—He is our technical adviser in outside matters; we send him out to investigate any revenue matter that comes up.

29042. And he tries cases?—He tries cases under the Canal Act.

29043. Is he a subordinate of the Executive Engineer?—Yes.

(*The witness withdrew.*)

BABU INDRA NARAYANA SINHA was called and examined.

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29044. (*Chairman.*) You reside at Benares?—Yes. I am an Honorary Magistrate.

With the exception of land revenue, custom duties, and excise the provincial Governments should have the full power of disposal over the revenue of their provinces. In such a case the provincial contracts with the Imperial Government should be for the apportionment of only the land revenue, custom duties, and excise. In a Government like the Government of India, where so many provinces almost dissimilar in their physical features, manners, customs, &c., are united by the concentration of authority in one centre, any further separation of financial interests would lead to a disintegration. It is necessary in

consequence that the Central Government should shape the financial policy of the state to some extent.

When the Local Governments have certain incomes as their own over which the Central Government has no authority they can safely be given the power to borrow money in cases of emergency on the security of those funds only to such an extent that they may be able to liquidate the debt without adding to the burden of taxation.

As regards the proper sphere of the work of the Directors and Inspectors General under the Government of India, it can safely be said that their work can be done more successfully by the holding of periodical conferences of the provincial Directors, where they can compare notes and define the lines on which their different departments are to work in future.

In no case should any curtailment of the right of appeal to the Government of India or to the Local Governments be made either in the case of administrative actions or in cases of officers of Government against orders affecting them personally.

Under the present system of administration much of the time that the officers could have devoted to mixing with the people is taken away by their work at the desk. They have not merely to supervise the various administrative departments but, as regards most of them, even to enter into details. It is very desirable that the Executive Officers should come as much as possible in contact with the people whom they govern. Thus they will come to better understand the needs of the people and to express and explain to them the views of the Government.

In order to have more time which they may devote to mixing with the people the officials must be relieved of some of their work, for instance, they, the Collector-Magistrate at least, may be relieved of their work on the Municipal and District Boards as well as of the administration of criminal justice. The time that would be thus spared them can be more profitably spent in holding informal councils with the people of the town when the officer is there or with the people in the *mufassal* when the official is on tour. In order that the people of a division should come much more in touch with their Commissioner, he should, as far as practicable, visit all the districts in his division at least once every two months.

The officials, the Commissioner, and the Collector at least should have their Advisory Councils, but not at this stage Administrative Councils till it has been seen that the people can control their affairs properly in the Municipal and District Boards. These Councils should be regularly called, and some weight should be attached to what is urged by them on the attention of the officials.

A too frequent change of an officer from one place to another also hinders the intercourse between him and the people. It is very distressing to find that no sooner the people have come to understand an officer and he has come to understand them than is he taken away from among them. Such officers as have become familiar with the people and on whom the people have come to look as a guardian, nay as a friend, should not be transferred unnecessarily from one place to another. They should rather have their promotions from lower to higher grades at that very place.

Most English officers do not possess that knowledge of the vernacular which is essential for them to understand the people whom they have to govern. A knowledge of the vernacular alone is not enough for a free intercourse. To enter into the spirit of the conversation one ought to be well conversant with the dialect of the people, and this cannot be acquired without a sufficiently long stay.

Municipalities and District Boards should be as much free from the official element as possible. The presence of a Government official on the Board takes away all the sense of responsibility. This frustrates the aim for which they were created and that aim was to make the people learn self-government. The interests of the people can always be safeguarded by the Government by vetoing any act which may be thought harmful. District Boards should have full control over the incomes derived from such taxes and cesses as the road cess and the like and the members should be given proper travelling allowances.

The village unions should be empowered to collect money for the upkeep of the local police—the village chaukidars, who should be appointed and dismissed by them being made quite independent of the thanas except in the case of supplying information of births, deaths, accidents, &c., and helping them to quell the disturbances of the public peace. The unions should be entrusted with the sanitary and educational improvements of the villages and should have power to decide petty civil cases, say, to the value of Rs. 25 and compoundable and such criminal cases in which the maximum amount of fine is Rs. 50. These they may do with the help of a jury composed of men elected by the parties. The District and Local Boards, besides making and repairing roads and dak bungalows and controlling education and regulating sanitation, may also exercise the power of supervision over the village unions and from time to time, as emergency arises, may help them with advice and money.

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29045. You have never been a member either of a municipality or of a District Board?—No.

29046. You have no knowledge therefore of their work?—I have some knowledge of their general work acquired by frequent talks with the members. I have no direct knowledge at first hand.

29047. You tell us that Divisional and District Officers might mix with the people more in the district; of your own knowledge can you tell us that they do not mix very much, or is it only what you have heard from other people?—I have had personal knowledge myself; the people fight shy of them mostly, because they cannot understand each other.

29048. One man cannot talk to another?—It is not exactly that; these officials have their own set and the people have their own set. They go to them as an inferior goes to a superior.

29049. They do not go to each other as friends?—Not exactly.

29050. Is it desirable that they should?—Yes.

29051. How do you think that that could be brought about?—Much more frequent mixing.

29052. Do you find this amongst Indian Collectors and Sub-Divisional Officers as well as amongst Europeans?—Yes, to a certain extent—not so much. One of the things that keeps the European Officers away from the people is their not being able to understand the people.

29053. How many languages are there in the United Provinces?—Generally speaking, there is only one language, but the dialects vary a great deal.

29054. The man who knows Hindustani would be able to go everywhere and be well understood?—Yes, he would be understood to a certain extent, but not so well as he ought to be.

29055. You yourself are a native of the United Provinces; do you talk all these *patois*?—Mostly, especially that which belongs to my own part, Benares.

29056. Is that different from the language which is spoken here?—It is to a certain extent.

29057. You say that the presence of a permanent official on a District Board takes away the sense of responsibility from the people. Are they afraid to speak in his presence?—Yes; they are shy as a rule, and they are much more shy when they have to meet him as an official.

29058. A native gentleman who was a Collector, told us the other day that the people on his District Board took no interest—that they simply came to the District Board and said "yes" when the Collector proposed anything, and there the matter ended; is that your view?—It is simply on account of their shyness.

29059. But suppose there was a non-official Chairman?—They would then be more free in expressing their own opinions.

29060. Do you know anything about the villages here?—Yes, in Benares and in Bihar; I have most of my property there. One of the reasons that the officials cannot understand the language so well is that they are frequently transferred. Generally when the people have come to like a certain official he is taken away from them, and a new man comes in and that is a great strain to the people.

29061. How long do you think an officer ought to stop in his district?—I would not fix any limit of time, so long as he is not required to go into some other station.

29062. You have had the present Collector of Benares there a long time?—Yes, about six years.

29063. He knows the district pretty well?—Yes.

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29064. And is he much in the confidence of the people there?—Yes, they think of him much more as a friend than as an official.

29065. That is because he has been there a long time?—Yes, and because he mixes with them so much, and understands them so well.

29066. Any official who did the same thing would have the same confidence?—Yes.

29067. (*Mr. Meyer.*) Have you made any particular study of the financial relations between the Local Government and the Imperial Government?—I have only a general view—of course it is a very technical matter.

29068. You say that, with the exception of land revenue, excise, and customs, the Local Government should have the full power of disposal over the revenue of their province. Do you include a matter like the salt revenue; is that a good thing for the Local Government to have the disposal of?—The salt revenue I should give to the Government of India; it is of a general character affecting the whole people. The relation of the different provinces with the Central Government should be such that each part might in a way, working independently, contribute to the well-being of the whole Empire.

29069. Would it not be necessary for the Government of India to get the same amount of money that it does now?—The revenue would be lessened, but their expenses would be lessened also.

29070. And therefore they might stop the construction of railways, or famine relief, or some little matters of that sort perhaps?—Such things would, of course, go to the Government of India.

29071. You desire to reduce the resources of the Government of India, but to keep the Government of India's responsibilities?—Not exactly, I would reduce their expenditure in proportion.

29072. In what direction? Have you not thought of that?—That does not concern me very much particularly.

29073. You desire to keep the District Officer away from Municipal and District Board work; you also desire to dissociate him from magisterial work; do you desire to make him a simple Collector?—Not exactly; he would be mixing with the people much more.

29074. The people will come to him and say, "We should like a road or we should like a dispensary"; and he would have to say, "I am very sorry I cannot help you; you must go to Babu so and so, who is Chairman of the District Board?"—Not exactly; when they come to mix with him he would shape their policies and it would be much more an educative measure for the people.

29075. Would it not be an educative measure for the Collector to be on the District Board and to mix with the representatives of the people?—The people will not be as free with him then. When he has become familiar with the people the people of their own accord will help him, and most likely they would be very grateful for his advice and would follow it.

29076. When you speak of village unions and village chaukidars, are you referring to Bengal or to this province?—Bengal.

29077. There is no such a thing as a chaukidari union in the United Provinces?—No.

29078. Are you prepared to give any local self-government to the villages in this province?—I have very little property in this part—I do not know.

29079. (*Sir Frederic Lely.*) Have you ever stood as a candidate for a municipality?—No. I have no ambition that way. It is only lately that I have been in good health.

29080. There is no other reason why you object to serve?—No.

29081. Do you think a Municipal Commissioner has the power of serving the public in Benares?—Yes.

29082. You do not think he is too much overshadowed by official influence to be able to exert a good influence on public affairs?—No.

29083. Official influence has not gone to an extreme in Benares?—I think not; at present we have such a good official that he is more of a friend to the people; he is considered more as a private friend than as a Government officer. He speaks freely to the people and they speak freely to him.

28084. Would you give him an Advisory Council?—Yes.

29085. But suppose all his many friends whom he constantly consults gave him one opinion on a certain subject and the Advisory Council gave him another opinion, which should he follow?—It would be for him to discriminate between the two.

29086. Which would be of most value?—Of course the Advisory Council.

29087. You think that the opinion of a formal Advisory Council would be of more value than an opinion freely and cordially given in private intercourse?—Not exactly; when he has an Advisory Council he would come much more into contact with them, and the people would come to understand him and he would understand them, and this feeling of shyness between the two would go away.

29088. You think the Advisory Council would bring him into better contact with the people than his private intercourse with private friends?—In the case of our present Collector, he is as much with us as we are with him; there is no barrier between the two—he understands us very well and we understand him very well.

29089. (*Mr. Dutt.*) In the matter of irrigation rates, would the Advisory Council of the Collector be able to give him valuable advice and tell him about the requirements of the people?—Yes.

29090. And when the Government wanted to make any alteration in irrigation rates about different crops the Advisory Council would be able to give good advice?—Yes.

29091. Are you acquainted with any other municipality besides Benares?—To a certain extent with the Chapra municipality.

29092. The proposal has been made to us that in certain towns, instead of having the Collector as the Chairman of the municipality, it would be desirable either to get officials especially appointed as Chairmen, or in the smaller towns to have non-officials as Chairmen—what is your opinion about that?—It would lessen the burden of work of the Collector to a certain extent.

29093. In large and important towns like Cawnpore for instance, instead of burdening the Collector with that work, might some other Civilian be appointed as Chairman and paid by the municipality?—Yes.

29094. In smaller towns might non-official gentlemen perform the duties of Chairmen?—Yes, they should be given a trial at least.

29095. You are probably aware that in many Bengal municipalities non-official gentlemen are at the present time performing the duties of Chairman?—Yes.

29096. Do you think that the same experiment ought to be made in the United Provinces?—Yes.

29097. You say that the Commissioner should visit all the districts in his division at least once in every two months; is that possible, seeing that he has four or five districts under him?—He might not be able to visit every district, but the important districts he can visit.

29098. Would you be satisfied if the Commissioner visited all the districts once in a year?—No; in fact, he does visit once a year, sometimes twice.

29099. His visits ought to be more frequent?—Yes, the more the people come into contact with the officials the better it is for both of them.

29100. (*Mr. Hichens.*) In your district, speaking generally, do the best men go on the District Board?—Yes.

29101. Your complaint is that they have not got enough to do; do they feel that they are restricted and cramped, and that they have not got enough power?—I cannot say exactly; that may be.

29102. Have they not a great deal more power than your Advisory Council would have?—Yes.

29103. The Advisory Council would have no power at all?—The Advisory Council would be altogether an unofficial body and they would have much more liberty to express their views without any sort of formality. These meetings of the District Boards and municipalities and so on are rather formal.

(*The witness withdrew.*)

The Rev. EDWIN GREAVES was called and examined

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29104. (*Chairman.*) You are a missionary in India? —Yes. I have been here twenty-six years. I have been principally resident in Mirzapur and in Benares; roughly about half in each. I am now in Benares.

The right of appeal to Heads of Departments and Commissioners should be liberal; but to demand a certificate of the admissibility of an appeal from the officer whose decision is appealed against would surely practically annul the right of appeal. Yet it does seem necessary to prevent as far as possible the misuse of a right of appeal.

My impression is that less rigidity and uniformity are desirable. Uniformity in general principles should be maintained but a measure of freedom allowed in the application of those principles. Conditions vary so much in different divisions, in different districts, and even in different parts of the same district, that to insist on uniformity, in many cases, means loss of efficiency in administration. Officers are hampered by excess of detail in rules and regulations.

In Benares during the last few years we have been peculiarly favoured. We have had the services of a Commissioner and a Collector who have been *very* accessible and very considerate. The result has been a most happy feeling among the people and a practical immunity from the "unrest" which has been apparent in so many places. It is impossible to speak too strongly of the importance of this accessibility and considerateness. On such things rests very largely the success of the British Government in India. The genuine sympathy of the Englishman often lacks the courtesy which is due to the Indian. We do not always take the trouble to acquaint ourselves with the rules of Indian etiquette, and are not perhaps ready enough to observe them. Courtesy demands considerable knowledge, not a little thought, a large measure of patience and much self-restraint, but it is well worth the trouble. A sentence or two from an Indian writer is perhaps worth quoting:—

"But unbending is a virtue the British Executive in India are too slow to learn. If it come to that they would rather lose the country than give up their pet theories of administration."

There are often different ways of effecting the same end, and if this can be secured in a way which will not grate on the prejudices of the people much has been gained.

At least in some cases, a better knowledge of the use of the vernacular is desirable. When so many subordinates know English (and prefer to use it) this matter is one of considerable difficulty, but certainly of great importance. Much irritation is caused and difficulties increased when an officer cannot get into close touch with the people. The officious intermediary who will interpose between the officer and those who wish to approach him or to hear something from him is not merely a "nuisance" but a "curse" in administrative matters, and unless an officer is very familiar with the vernacular this intermediary is always to the fore.

In putting aside seniority great care is necessary lest favouritism should take its place. The claims of seniority are of very secondary importance compared with the demand that for every position the very best officer available should be appointed, but it may not always be easy to *know* who is the best. Supposed efficiency sometimes rests on show bits of work in special circumstances and by the testimony of others who may not be the most unprejudiced judges. The very limited period of service for a Lieutenant-Governor stands in the way of the wisest use of available material, he has to rely too much on the information given by others and too little on personal observation.

The general principle I would advocate is frequent changes for young officers that they may gain experience, but as few changes as possible among the higher officers, unless for special reasons.

A constant endeavour should be made to develop independence of judgment and the outspoken expression of it in municipalities and Boards. They doubtless need wise guidance, but the sense of responsibility should be developed. Subserviency is sometimes confused with loyalty, and Chairmen are perhaps at times a trifle overbearing.

I would warmly advocate the creation of Advisory Councils with some administrative power. Appointments to such Councils should be *partly* elective. The subject of election is an exceedingly difficult one, but must be faced and fostered.

District Boards might be given some powers of supervision over the municipalities, but only in a very limited way; otherwise they will check instead of developing municipal life.

29105. You think that no curtailment of the right of appeal is desirable?—I am not speaking with very large knowledge on this subject, but it seems to me that there should be a fairly wide opportunity for appeal.

29106. Suppose that a man was able to go beyond the officer who first pronounced sentence to a second officer superior to the first, would that satisfy the general feeling of justice?—That was my purpose in stating what I did. In most cases it would not make a difference as to the final decision, but it would give them a sense of justice.

29107. One clear appeal would satisfy the popular feeling?—No; I do not think that twenty clear appeals would satisfy the popular feeling, but it would do something towards it, and would ensure more justice.

29108. You agree with the last witness as to the value of the Collector's service at Benares; but you rather lead us to believe that his case is not the general experience?—No. In Benares we have been peculiarly happily circumstanced. The Commissioner and the Collector have been men peculiarly in touch with the people; but that is not always the case.

29109. What is the reason that that is not always the case?—There are two reasons. One is, insufficient knowledge of the language of the ordinary people; secondly, a want of consideration for the prejudices of the people.

29110. Are those prejudices and customs and habits learned easily?—They are not; they can only be learned by contact with the people.

29111. Would it be impossible to draw up some sort of short statement of what the peculiarities of etiquette or custom were in the province, which would at all events put an officer when he first came out on his guard against committing wilful acts of discourtesy? —That might be done.

29112. It has never been tried as far as you know? —I think not.

29113. You think it would be well to try it?—I think it would be very well worth an experiment. I know that great injury is done in that way unwittingly.

29114. And, if it were known, unwillingly?—Yes.

29115. Have you any knowledge of the work of a municipality or District Board?—Not as regards the detail work. I have not been a member. I rather get impressions from both sides of it.

29116. Do you agree with the last witness who told us that people were shy about talking before the Collector as Chairman of the municipality or District Board?—Shyness is not an Indian weakness; at the same time men do hesitate sometimes to speak out their whole wants.

29117. Perhaps in private as well as in public life? —To some extent, not the same.

29118. Is there any reticence, no matter from what cause, in the case of a municipality when the Collector is Chairman?—In some cases there would be, in other cases there would not.

29119. It would not depend so much upon the position of the person who occupied the chair as on the temper of the individual?—Very largely, and to some extent in the temper of the person who occupied the chair. I have known members say, "Well, the Chairman will have his own way, whatever we say, so what is the use of our troubling to talk about the matter."

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29120. It depends, then, on the strength of the will of the person in the Chair more than anything else?—That, and the temper of the people who constitute the municipality.

29121. (*Mr. Dutt.*) Of the right of appeal you think that no curtailment is desirable?—I am not speaking with very large knowledge on this.

29122. Would things go better if there was a non-official Chairman in a place like Benares?—I think not; I would not advise it for a moment.

29123. In the case of a District Council what would you say?—I would still have an official there, a man of experience, reliable judgment, and responsibility.

29124. But in the case of the Vice-Chairman?—There could not be the same difficulty there; he might very well be a non-official.

29125. Then about the Secretary?—The Secretary should be a paid official.

29126. An Indian gentleman or a European?—It would depend on the person and position. I see no reason why he should not be an Indian.

29127. But he should be a non-official paid Secretary?—Yes, certainly a paid official.

29128. Do you know anything about village life in this particular province?—Somewhat. For a couple of years I lived right out in the district among the villagers.

29129. Could the villagers form something in the nature of a village panchayat?—I think so under careful guidance.

29130. They would have to be rather nurtured and fostered?—Yes.

29131. As matters now stand, does the village community sometimes act in a collectorate capacity?—No, it depends upon caste rather than on the village.

29132. You get the caste panchayat but not the village panchayat?—That is so, so far as I know.

29133. Suppose you had three or four small villages grouped together for the purpose of a village union, would questions of caste cause much difficulty?—It would depend very largely on the district. The caste system affects the people very differently in different places.

29134. You have told us that it is desirable that a sense of responsibility should be developed in the members of District Boards. Can you give us any idea how that end could be brought about?—I cannot say definitely. I realised when I wrote that statement that it is a considerable difficulty.

29135. You know that the District Board has to deal with a number of different kinds of works like roads, schools, dispensaries, and so on, and also to settle its own finances and prepare its own budget. Suppose that members of the District Board were formed into sub-committees, and each sub-committee was entrusted with one particular department of work, each sub-committee consisting of three or four members working, of course, under the general supervision of the President; would that develop in them a little more responsibility and desire to do their own work?—Yes, I think it would intensify interest.

29136. You speak of the creation of Advisory Councils as desirable; do you mean Advisory Councils for District Officers?—Yes.

29137. Can you give us some instances of subjects in which the Collector could profitably consult his Advisory Council?—I would take as an instance the present state of things with regard to famine; that is one case where he could get very valuable information.

29138. Generally, with regard to questions of the supply of drinking water, the drainage of villages, the fixing of the irrigation rate, and so on, would the opinion of the members be of some use to the Collector?—Irrigation does not come into our districts.

29139. But the other two matters, the supply of drinking water and general sanitary improvement in the villages?—You are on rather a broad subject there. In villages the desire for sanitary improvement is not very keen.

29140. Suppose these duties were entrusted to them, would it foster in them some desire to make such improvements?—More suitable avenues for their energies might be found, because sanitation is so very backward.

29141. Should they be consulted in the matter of liquor shops?—Yes, decidedly.

29142. And also in encouraging trades and industries in different parts of the district?—Yes, and in school work—the location of village schools.

29143. Are you familiar with the villages of the Benares district?—I have travelled, and I lived for quite two years right out in the district midway between Mirzapur and Benares.

29144. Is there a recognised headman in each village?—Yes; it is generally the leading zamindar.

29145. Are there also a few leading men in every village who are considered leaders by the other villages?—I cannot answer that.

29146. Would it be possible to entrust the headman and a few others of the best men with small powers to dispose of village matters and to settle also village disputes locally?—I hardly dare venture an answer to that.

29147. Would you generally try the experiment of creating these village panchayats in the more advanced villages where you think the conditions are favourable?—I would if the right of appeal were preserved.

29148. You would not give them final power?—No.

29149. But under that reservation you would try the experiment?—Yes.

29150. (*Mr. Hichens.*) One of your objections to allowing the District Boards to stand on their own legs without official control is that the individual members would not know enough to run affairs?—They have not sufficient experience for one thing, and they would not have the financial responsibility for another.

29151. Is not the only way you can get experience by trying to do a thing?—No doubt.

29152. Therefore that particular objection can only be met by giving them the opportunity of gaining experience?—There are different ways of gaining experience. I consider that there is the opportunity of gaining experience under the present system with their chairman. Another objection is that they are not particularly keen on the work? Some of them are keen.

29153. On the whole they do not evince very great keenness; is that your view?—No; I think that is going beyond what I have expressed and what I think. I think there is a measure of keenness on the part of some; on the part of others there is not.

29154. Is there sufficient popular control to be sure that if they did wrong public opinion would find it out and punish them?—I do not think it would at present.

29155. In England, for example, practically the only safeguard of local self-government is that you have very strong educated public opinion and therefore very strong popular control?—Yes.

29156. Would you get that out here?—No.

29157. Therefore, perhaps you would say that before giving them real powers you must develop popular knowledge and popular control?—Yes, and that is being done.

29158. Would you say that, beginning with that, and beginning with the village, would be better than trying to give them such important functions as those dealt with by District Boards?—I think the two must go side by side. You cannot work from the village right up, because the men in the town are far more able to deal with these matters than the people in the villages; they must be the teachers of the villages.

29159. Is popular opinion stronger in the towns?—It would not be stronger; but it would be more enlightened.

29160. Would you be prepared to go further in regard to municipalities, in the sense of giving them control over their own affairs, than you would in the case of District Boards?—I think I would because they would be dealing with things which would affect them more personally.

29161. Suppose they managed their own affairs, say, in Benares, and some grievous scandal occurred; would public opinion be strong enough and enlightened enough to get up and turn them out?—I think it would.

29162. (*Mr. Meyer.*) Would it not require a long and rather violent amount of misgovernment to raise such an extent of public indignation as would turn the whole Council out?—I understood the last question to refer to individuals, not to the whole Council.

29163. Do the people take much interest in municipal elections?—The candidates do. The public take some interest.

29164. Is it not rather a personal fight between A and B?—I think it rests on a general view as to the man's capabilities and his desire to serve the people.

29165. Have you ever known what you might call a "party" come in, wanting to reduce rates, for instance?—I do not know that we have got to that stage yet, I am thankful to say.

29166. If a municipality had a free hand, and drains were mismanaged and roads neglected, would you get a "party of reform and economy" coming in at the next election?—That is possible.

29167. At present District Boards pay for the roads, but they are managed by the Public Works Department, at least the larger roads; would you be in favour of giving District Boards their own roads establishment?—My knowledge is very limited, but I do not think I would recommend that.

29168. You say your Advisory Council would be partly elected; have you thought the matter out; whom would you have on it?—I have not thought the matter out; I am rather dealing there with the principle. The feeling is somewhat strong that election should have more power with regard to the appointment of some of these people, and I sympathise with the Indians in that matter. I feel that it is difficult to carry out, but it should be steadily kept in view.

29169. Does election appeal to the people as a whole?—Yes, I think it does.

29170. Would you have them elected from District Boards or Municipal Councils, or would you have a special electoral roll *ad hoc*?—That is a detail I would hardly venture to express an opinion upon.

29171. Would the Collector have power to over-rule them if he differed from them, or would he have to give in to them?—He should make it very clear, in the event of overriding a large majority of his Council, why he did so; that is to say, that their opinions should not simply be opinions supposed to have no weight.

29172. What size Council do you contemplate, roughly?—I should say a dozen, possibly.

29173. With public deliberation, or confidential?—Public deliberations, with opportunities for a private deliberation if necessary. At present, in India, the latter is advisable in some cases; men will not speak out their minds entirely if what they say is to be spread abroad.

29174. Might not the District Board possibly be developed into a Council of that character, assuming it to be required, or would you have a separate body entirely?—I would have a separate body.

29175. Which would, in time, if it succeeded, dwarf the District Board?—Not necessarily. It would take rather broader principles and views than the District Board would. The District Board would deal more with details; an Advisory Council would be rather suggestive of general lines of policy.

29176. Still, it would have some control over the District Board in the matter of education and so forth?—Yes, it would have some control.

29177. (*Sir Steyning Edgerley.*) Would the people take more interest in district affairs if the District Board had power to tax them?—Undoubtedly it would secure an interest, but whether of a helpful character or not I do not know.

29178. If you want to get people to take an interest in these things, would it not be well that they should realise that they are providing the money and therefore ought to see how it should be spent?—Yes, it might be; a great deal rests upon how the money is spent.

29179. With regard to training in the manners and customs of the people, and the suggestion that a book on that subject should be published. Take the Mirzapur and Benares districts, which you know; can you think of any person who could write such a book usefully for this part of the country?—Yes.

29180. You would have to have a separate book for almost every district in India?—No, not so much as that, I should think.

29181. For this province, for instance, would one suffice?—I should say, certainly, taking the country east of Allahabad to the borders of Bengal, one would be sufficient.

29182. (*Sir Frederic Lely.*) Looking back on your twenty-six years in India, are there any great changes in the relationship between the people and the Government Officers which stand out in your view, or are things pretty much the same as they were when you came to the country?—There has not been much difference except in the case of individual officers, which depended rather on the individuals and the times in which they lived. Speaking generally, I have not noticed any great differences.

29183. Have you any people in your mission living in villages outside Benares?—No, we have a district mission, about thirteen miles off, where they are living among villagers.

29184. Have you had much opportunity of knowing about the attitude and the character of the subordinate officers, particularly of the tahsildars, towards the people?—I have known something of it as I have moved about in the district or lived in the district myself.

29185. Is all that you have heard satisfactory?—No; in some cases, at any rate, corruption exists.

29186. Would you go so far as to say that corruption is a prevalent characteristic?—I should be sorry to make a sweeping statement, but it does exist in some places, and has existed.

29187. Would you say that the tahsildars, as a class, are men who would explain to the people with intelligence and loyalty the intentions of Government in the matters upon which wrong impressions have got abroad?—I have no sufficient knowledge to answer that question; I should be inclined to think so.

29188. How would an Advisory Council come in in a place where you have such a Collector as you have in Benares; would it not clash, very often, with the Collector in his other capacities?—I think not; it would be a means of strengthening him; he would be able to say about certain matters that he had not acted on his individual judgment, but had consulted those who were practically representative of the people.

29189. Could he not say so now, with a better based confidence in the genuineness of the opinion that he has taken?—It would not have the weight that the other would have; he would be able to say, "I talked the whole matter over with my Advisory Council, and in doing what I have done I have acted in accordance with the views of, say, a two-thirds majority of the Council."

29190. Would a member of the Advisory Council have the courage to get up and give an opinion if it happened to be an unpopular one?—Some would, undoubtedly.

29191. Is there not a much better chance of getting at the views of the people by private and friendly conversation than in any form of public assembly?—I think there is, but the one method need not interfere with the other.

29192. If there was a clash, what would happen?—The Collector would take one of two courses; he might take that which the Council thought the wisest and best or he might take that of which he might possibly individually disapprove, and say, "The people desire to have it so; let them have it, and they must bear the responsibility." I think that is part of the education of the people.

(*The witness withdrew.*)

Raja RAMPAL SINGH, C.I.E., was called and examined.

Raja Rampal Singh.

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29193. (*Chairman.*) You are a resident in the Rai Bareli district?—Yes. I am a member of the District Board but not Chairman or Vice-Chairman. I have been a member of the District Board for about twelve years with an interval of three years.

The right of appeal which the Government officials and other servants enjoy at present is very highly valued by them. Any curtailment of this right is sure to cause discontent in the service. On it depends in no small measure the popularity of the Government Service, and it is quite undesirable that the channels of justice be narrowed and the security and the confidence which every Government servant feels be shaken and placed at the mercy of the prejudices of individual officers.

The Executive Officers are not in touch with the people. To speak the truth, most of them do not care in earnest to take the people into confidence. It is want of sympathy with the people and mistaken ideas of prestige. I am not placing all the Executive Officers in the same category. There are honourable exceptions, but their number is comparately small. This want of sympathy in the Executive Officers, their aloofness, and the treatment they accord the people in public and in private are the roots of most of the discontent that now and then finds expression in the press. The people hold the Government responsible for such short-comings of the Executive Officers because as far as administration is concerned they are the representatives of the Government in its connection with the masses. The unsympathetic attitude of the Executive Officers is equally and quite naturally reciprocated by the people with distrust and hence the task of good administration suffers. As there are Executive Officers, though their number is comparatively small, who are popular with the Indians. it cannot be maintained or pleaded that owing to press of work they have little time to consult the wishes of the people as to their needs and requirements. There can be expected no reform in the present state of things until Executive Officers amend their ways of treatment towards the people and meet educated and respectable Indians on terms of equality as they do with their own countrymen and take the natural leaders of the people into their confidence, paying due regard to their feelings and sense of self-respect and giving full allowance to human weaknesses from which no race in the world is free. The Executive Officers generally possess a fair knowledge of vernaculars, but sometimes the newcomers without a sufficient knowledge of the people's language are entrusted with judicial powers.

There seems to be no necessity of giving larger powers to Collectors and Commissioners than what they possess. In the selection of such officers not only seniority but also the quality of sympathy should have some weight.

I would not recommend the extension of the present functions of the District Boards and municipalities, but they thould be a little more independent of the official control. The Chairman and the Secretary should not be both Government officials simultaneously, for the presence of two such official members in the constitution of the District Boards and municipalities makes it rigidly official. Whenever the funds suffice there should be a paid Secretary for the District Board's work, as in the case with municipalities, so that he may be able to devote his whole time to the work ; or members taking an interest in Board's work may be appointed honorary secretaries.

I am not in favour of the creation of Advisory or Administrative Councils. We have in every district Municipal and District Boards consisting of men whose advice could be relied upon. District Officers and the Commissioners have good opportunities, if they only care to take advantage of them, to consult the best men of their respective districts and divisions. What is most needed is that the District Officers should take the enlightened men of the district into confidence and allow them to express their view in administrative matters with frankness.

The municipalities should not be placed under the supervision of the District Boards. The latter are recruited from the landowning class generally residing outside the municipal limits, and the Municipal Boards are recruited from men residing within the municipal limits. Such supervision will be resented by the Municipal Boards themselves.

The village communities are not what they were half a century ago. Changes for the worse have taken place in them owing to certain causes which need not be discussed here. Strife and dissensions rule supreme ; in most villages people have lost respect for their elders, and the elders their goodwill for the people. Landlords and *talukdars* have some influence no doubt, but it is fast disappearing. Under such circumstances it seems to be difficult to revive the old system of panchayats, though without them the village administration suffers a great deal. There is very little education amongst the masses, and without diffusion of knowledge much good cannot be expected from the introduction of the system. However, where good agencies could be found the village communities should be initiated in the disposal of local affairs and of petty criminal and civil cases. The experiment is worth trying on a small scale, and if it proves successful the reform may gradually be extended to other places. The trial should be made with every precaution and limitation in the beginning and that such powers should be given to panchayats consisting of three or five leading members of the village nominated every third year by the District Magistrate. The system of appointing Honorary Magistrates and Munsiffs should be more liberally extended to the leading and educated landlords.

29194. You say there is a considerable gap between the representatives of the Government and the people who live in the districts they administer ; to what is that due?—To aloofness and exclusiveness.

29195. Is that the case with regard to both European and Indian officials?—It is not very much marked amongst the Indian officials.

29196. Have you not noticed it in both races?—No ; in some cases, here and there, there may be an Indian official who holds himself aloof.

29197. Are there many cases where the European official holds himself aloof?—Yes.

29198. Have you yourself ever been treated with incivility or want of courtesy?—Yes.

29199. Will you tell me what your experience is?—The first thing is that our carriages are kept outside the compound and we have to wait in the sun for an hour or more or sit in the verandah, and so on, and we have to conciliate the chaprasis before we can get to see the officials, and unless we give tips to the chaprasis we cannot get chairs.

29200. If you want to visit one of your friends would you stop outside the compound?—No.

29201. Would you drive in?—Yes ; and then when we do get inside the room of an official it is much more formal than a friendly visit.

29202. Are you speaking of the case of a man you have met for the first time?—No, it is generally the case.

29203. I understand you are speaking of a particular incident which happened to you ; had you met that official for the first time?—No, whenever we go to see the officials that is the treatment which is accorded to us.

29204. What is your standing?—I am a *talukdar*.

29205. Do you say that you have received this want of courtesy at the hands of more than one official?—Yes, we are always kept outside and have to wait in the verandah facing the cold wind, but there are some exceptions no doubt, although generally that is the case.

29206. As a member of the District Board, do you find that you are frightened to speak in the presence of the Chairman who is an official?—Yes.

29207. You feel a little nervous, and you think you would speak with less timidity in the presence of a Chairman who was elected?—Yes, I think I should speak more freely in the presence of a non-official Chairman. We feel hesitation in expressing our views frankly before an official Chairman, but as far

as my district is concerned I would not advise that the official Chairman would be removed and a non-official be substituted, because the district is very backward as regards education, and people are not able to take up the duties of a Board properly.

29208. You think they would neglect education?—Yes.

29209. And sanitation?—It is quite possible.

29210. Do you see the budget of your District Board some time before it is published?—No.

29211. Do you go to the meeting and see it for the first time on the table?—Yes.

29212. Do you discuss it?—Not very much.

29213. Do a good many of the members not understand it?—Yes, it is not sent to us previously.

29214. Would you like it circulated beforehand?—Yes.

29215. What would be the use of its being sent to you previously if you would be afraid to discuss it in the presence of the Collector?—We might make suggestions politely.

29216. Then you would not be afraid to discuss it?—It is true that we do not express our views freely, but even then we could make suggestions.

29217. Are the functions of the District Board wide enough?—Yes, as far as my district is concerned.

29218. Does the Commissioner make much alteration in your budget?—I do not think so.

29219. Does the Collector consult the members of the Board when he is framing the budget?—It is put on the table.

29220. Before it is put on the table are the different members of the Board consulted?—No.

29221. Have you a Vice-Chairman?—No, there is no Vice-Chairman.

29222. Is there a Secretary?—Yes, he is an officer of the Government.

29223. Then the Chairman and the Secretary practically make the budget?—Yes.

29224. Have you any committees of the Board?—No.

29225. Would that be useful?—Yes, for the different departments.

29226. You are not in favour of Advisory Councils?—No.

29227. Would you rather have the Collector discuss matters with the leading gentlemen of a district?—Yes, but I think it is no good multiplying materials.

29228. Do you think there are good men on the District Council if they were not afraid to speak?—Yes.

29229. Is the influence of the *talukdar* disappearing?—Yes, to a certain extent.

29230. Is he looked up to as a leading man?—Yes, even now.

29231. Is it worth while creating a village panchayat?—It is worth trying with powers to dispose of civil and criminal cases, but the power should be very limited because there is so little education, and they might abuse them.

29232. (*Mr. Dutt.*) Who prepares the District Board budget?—The Secretary or Chairman.

29233. Is there any discussion in the meeting as regards the particular sums of money devoted to particular purposes?—No.

29234. Does not the law provide for the election of a Vice-Chairman?—Yes.

29235. How is it that no Vice-Chairman has ever been elected; has that section of the law been overlooked?—Yes.

29236. If a Vice-Chairman was elected from amongst the members, might it help the work of the District Board?—I do not think so because people in my district take very little interest in District Board work; it may be because there is very little education, and it may be because there is very little responsibility.

29237. You have said that you approve of the idea of the different branches of the District Board work being done by different sub-committees; should there be a Finance Committee to prepare the budget and place it before the District Board?—Yes.

29238. Should there also be a committee for education?—Yes.

29239. And another committee to deal with roads?—Yes.

29240. Are all the schools in the district now under the control of the District Board?—Primary schools. Secondary schools were under the Board, but they will not be now.

29241. Who looks after the primary schools?—There are inspectors, deputy-inspectors, and sub-inspectors who look after them.

29242. Are those inspectors in Government service?—Yes.

29243. Are they in any way under the control of the District Board?—Yes, they make reports to the District Board and the Chairman passes orders.

29244. With regard to giving grants to schools or abolishing schools, are orders passed by the District Board under the advice of these officers?—Yes.

29245. You say that the members of the District Board might be consulted by the Collector whenever he desires to have their opinions; should they be consulted informally, or should it be considered a part of their duties?—It would be better that it should be considered as part of their duties.

29246. With regard to Municipal Boards, does the Municipal Act of this province empower the members to elect their own Chairman?—Yes, I think so, but I am not a member and have very little experience.

29247. Is there generally a recognised headman in each village?—Yes; they have been appointed by Government, but they are not recognised by the village community.

29248. Are there no men whom the villagers recognise as their headmen?—No.

29249. So that it would be somewhat difficult now to form any sort of village panchayat or village community?—Yes.

29250. (*Mr. Hichens.*) A statement has been made by a witness that in these provinces panchayats are found among low castes only, and that their functions are confined to caste affairs; do you agree with that statement?—That is true.

29251. We were also told that the village population is composed of *talukdars*, cultivators, and labourers; is that so in your opinion?—Yes, there are artizans also.

29252. Could you get a village Board with representatives of these classes sitting round the same table?—No; the *talukdars* would not like to sit round the table with their own cultivators.

29253. Would the cultivators like to sit with the labourers?—I think they would not object.

29254. What is your idea of a village Board or panchayat?—I think those men who are respected in a village should be formed into a panchayat.

29255. Only *talukdars*, in fact?—No; *talukdars* cannot go to all the villages; they live in one village only, but there are some persons in a village who are respected by the inhabitants, and they should be formed into a panchayat.

29256. But in a village where there are *talukdars* it would be very difficult to give representation to anyone else?—Yes.

29257. (*Mr. Meyer.*) It has been suggested that, although a single village would not form a good groundwork, you might have groups of villages and have committees for the group with certain powers; would that work?—I do not think so; I think such a committee should be formed in every village.

29258. You say that what is needed with a District Board is to take the enlightened men into confidence, and so on, but you also say that members of the District Board do not express their opinions with frankness because of the Collector?—Yes, but if

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these enlightened men would be treated sympathetically by the Collector, they would not have any hesitation in expressing their views frankly.

29259. Is it not the fact that sometimes Indians are afraid of the opinions of their own people and their own caste, and the people amongst whom they move? Supposing there was something proposed to be done with regard to plague or additional taxation which was not popular amongst the people, would it not be just as likely that your District Board member or Advisory Council member would be at least as much afraid of what might be said to him by his own caste as he is of the Collector?—But educated men are not so much afraid of caste feeling as they were in former times.

29260. Then they are not afraid of public opinion?—Not to such a large extent.

29261. Are the educated men afraid of the Collector?—Yes, I think they are, because he has powers with which he can strike on occasion.

(*The witness withdrew.*)

Pandit MAHARAJ NARAYAN SHIVPURI, Rai Bahadur, was called and examined.

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29262. (*Chairman.*) You have been a Deputy Collector?—Yes, for more than twenty-five years. Before that I was Sharistadar to the Board of Revenue.

I would not curtail the right of appeal to Local Government and Heads of Departments as it exists at present.

One of the chief defects of the present system of administration is that the European officers of the Executive Service are not always in full touch with the different classes of the people. Whenever a District Officer makes it a part of his duty to mix with the people and give them opportunity to freely express their views on matters touching their interests many grievances, real and imaginary, are removed, and the result is general contentment among the people and their confidence in good intentions of the Government. A sympathetic District Officer to whom the people have free access, who treats his visitors with courtesy, and is able to talk with ease the dialect of the district, commands the respect and affection of the public. The principle obstacles in the way of personal contact with the people are, viz., (*a*) want of sufficient knowledge of the vernaculars among the European officers, and among the Indian and European officers, (*b*) want of time, and (*c*) in some cases want of tact and sympathy. District Officers and their subordinates are so full of desk work that, notwithstanding their inclination, they are unable to get sufficient leisure to devote to this important business.

European officers very often do not possess sufficient knowledge of the vernaculars. One of the obstacles in their way of acquiring knowledge of the vernaculars is that different dialects are spoken in differents parts of a province. The remedy lies in reducing the size and area of provincial Governments. The standard of examination in vernaculars should be raised also.

In the United Provinces the area of districts, as a rule, is not so large as to make them unmanageable for a Collector. The division of a district into sub-divisions is at present in the United Provinces nominal, and that, too, is not always adhered to. The sub-divisions should be revised and the officer in charge of a sub-division should be notified by the Local Government. Wherever a sub-division is at a distance of more than twenty-five miles from the headquarters of a district, the Sub-Divisional Officer may be required to reside within the sub-division.

Irrespective of the grant of larger powers, greater care should be exercised in the selection of Collectors and of officers of superior grades. Seniority will have to be overlooked in some cases. For satisfactory administration of a district, regard among other things should be paid to the equanimity of temper of the officer and the way in which he treats his subordinates and the public.

Transfer of officers are sometimes too frequent. Collectors should, as a rule, remain not less than three and not more than five years. In case of privilege leave up to three months, the next senior officer in the district should officiate instead of bringing an officer from another district to fill up the temporary vacancy.

With the exception of a few important municipalities and District Boards the time has come for electing a non-official Chairman. The right should be given to those municipalities and District Boards where at least three-fourths of the members be in favour of a non-official Chairman. Subject to the supervision of higher authorities larger powers in sanitary and educational matters be given to them.

The District and Divisional Officers at present consult influential persons on certain matters. There is no necessity or utility of providing them with an Advisory Council. When the members of the Advisory Council have even no right to introduce a subject for discussion, and when their opinion, even unanimous, carries no weight, they are simply ornamental and not of much use.

It is desirable to give the village communities power in the disposal of local affairs relating to sanitary, educational, and police. Whenever such communities are strong, petty criminal cases are disposed of, as a matter of fact, by them. They might with advantage be invested with powers to dispose of petty criminal and civil cases.

It is not necessary to keep both the Board of Revenue and the Divisional Commissioners. If the Commissioners are abolished the number of the members of the Board will have to be increased. They will be required to pass at least three months during the year in visiting the districts under their charge. One of the members of the Board should be specially selected with regard to his legal attainments, so that the public may have confidence in the soundness of his judgment in the disposal of appeals in revenue cases.

29263. You think there is a good deal of want of sympathy between the inhabitants of a district and the European officers; is there want of sympathy on both sides?—I think there is want of sympathy on the part of the European officers, who have no cause to be dissatisfied as a rule with the people, while the natives think it is not desirable to say what they have to say.

29264. Were you hard worked as a Deputy Collector?—Yes, I had to do about ten hours' work daily at least. I acted as Collector also; I had then to do two men's work.

29265. Did many of the people call on you?—Yes.

29266. When they came, had you to keep them waiting sometimes?—Not as a rule, but they had a room in which to wait.

29267. Had you to keep them waiting a long time sometimes?—If I had no leisure I told them I was sorry I could not see them, and made an appointment.

29268. But you had to keep them waiting?—Sometimes perhaps, but not as a rule.

29269. Are you a native of the province?—Yes; I was born in the Rohilkhand Division.

29270. There is only one language in the United Provinces?—There is only one, but there are dialects spoken by some which are quite different, which we do not understand ourselves unless we learn them.

29271. Were you serving in the district in which you were born?—Yes.

29272. If you had been moved to another district would you have had difficulty in speaking to the people?—No, not in these provinces. The principal language here is Hindi, but the dialects among the rustic population are different.

29273. If you had served in a different district from that in which you were born would you have found a difficulty in talking with the rustic population?—Yes.

29274. Were you the Chairman or the Vice-Chairman of the District Board?—As Deputy Collector I was Chairman of the Board.

29275. Did you find there was hesitation on the part of the members of the Board in speaking their minds about things when you were Chairman?—No. It depends altogether on the disposition of the Chairman, and if his treatment is courteous then everybody says what he has to say, but if he is a rather short-tempered

man no one likes to incur his displeasure because he knows he is sure to be snubbed. People do not like to incur the displeasure of a European officer while they do not mind incurring that of a native, in discussing the point with him.

29276. Do you mean that they would begin quarrelling and wrangling with you?—They would not quarrel with me, but if there was a difference of opinion they would express it and ask me to record it.

29277. In most districts would it be possible to find some gentlemen to act as Chairmen of Boards if there was no salary attached to the post?—Yes.

29278. What was the size of the District Board of which you acted as Chairman?—It was a fairly large district I think, one way it would extend about thirty miles from the district headquarters and the other way about forty miles.

29279. Would you find in that district a gentleman who had leisure to go all round the district and see what was going on in it?—We never tried the experiment, but I believe there are men in every district who would devote their time.

29280. But are there gentlemen who would have leisure to go all round the district if they are non-officials?—Yes.

29281. From what class would they be drawn?—From the educated and monied class.

29282. From the pleaders?—No, not from the pleaders, they would not have time—from the zamindar class.

29283. Would they give the time?—Yes.

29284. Had you any zamindars on the District Board with which you were connected?—They are on every Board; the largest number of the members are zamindars.

29285. And from them you think some gentleman could be found who would have time and inclination to go round the district and make himself acquainted with it?—Yes.

29286. Might panchayats be created in the villages?—Yes.

29287. Would you be able to find people who would take an interest in small matters?—Yes. I have no experience of Oudh, but in the Agra province there are still leading men in almost every village and almost all the petty cases are referred to them and they decide them.

29288. To the satisfaction of the people of the village?—Yes.

29289. Therefore ought the establishment of panchayats stop appeals to the Courts to some extent?—Certainly in petty cases.

29290. Would you make their decisions final?—I think the ordinary law should apply to them.

29291. Would you give any appeal against their decisions?—Ordinarily speaking, they would be Third Class Magistrates and as such their decisions would be appealable. I would make them appealable.

29292. (*Sir Steyning Edgerley.*) Where do you live now?—I am living in Benares; I retired last year.

29293. Have you any knowledge of how the new Local Boards Act is working and what its effect has been?—I have knowledge of District Boards, but not of Local Boards.

29294. Do not municipalities elect their own Chairmen?—Yes.

29295. But you say the time has come for the privilege of electing a non-official Chairman?—But they cannot go against the wishes of the District Officer. If you do not make a rule to that effect, they cannot.

29296. What do you mean by saying that the division of a district into sub-divisions is at present nominal?—Because sometimes the sub-divisions are divided so that they have become almost nominal.

29297. Would you like the Sub-Divisional Officer to live within his jurisdiction?—Yes.

29298. Does the Sub-Divisional Officer do the whole work of the sub-divisional area he is in charge of?—It depends on the powers which are delegated to him by the Collector.

29299. Does he simply have to do what the District Officer chooses to give him?—Yes.

29300. Does not he, as a matter of course, deal with the whole of the work?—As a rule, the whole of the work comes to him, but sometimes it is taken from him.

29301. You say you think both the Board of Revenue and Divisional Commissioners should not be kept—why do you think that?—Because they do the same work as a rule.

29302. Then you say if the Commissioners were abolished the members of the Board would have to be increased; what increase would be necessary?—There ought to be one officer to hear appeals and as they would have to go about visiting and inspecting districts two more Members of the Board are necessary and there ought to be one more for the Court of Wards, which would make four.

29303. Would that be enough?—I think so.

29304. Would you prefer to abolish the Commissioners or to abolish the Board?—According to seniority officers are made Commissioners. Sometimes it is considered that a Commissioner is not competent to hear appeals and probably does not know the law, but if a member of the Board hears the final appeal, and a special officer is appointed for that purpose, it would give much more satisfaction.

29305. But is not the Commissioner of to-day a member of the Board to-morrow?—He should be specially selected.

29306. But is there not very careful selection now?—I think they go by seniority.

29307. And the members of the Board do not?—They also go by seniority, but you have to provide for five or six Commissioners.

29308. Has not the Commissioner a very much smaller charge?—Yes.

29309. And he knows it better than the Board of Revenue possibly can?—Yes.

29310. Is not that a considerable advantage?—Yes, but the question is whether there is any necessity; you have a Collector who knows his own district, and that is quite sufficient.

29311. (*Mr. Meyer.*) If you abolished Commissioners would you be prepared to give to Collectors a large part of the powers which they now exercise?—Certainly.

29312. Therefore the Board would only take a small proportion of the Commissioners' duties?—Yes.

29313. There are forty-eight districts in this province; do you think they could be managed by one Board at headquarters?—Yes. At present one member is in charge of so many divisions and another is in charge of so many divisions, and they have to visit and inspect those divisions. If Commissioners are abolished they would have to visit every district.

29314. Would you divide the work amongst the members?—Yes, as at present.

29315. Would you have one member for appeals and the other three dividing the forty-eight districts of the province among them?—Yes.

29316. What would happen with regard to subjects such as excise and Court of Wards?—Generally one member would be in charge of Court of Wards work, but these are details which would have to be thought out.

29317. You say that a Collector at present can give the Sub-Divisional Officer any charge or power that he likes. With regard to rent suits and revenue cases, do you not have a certain number of officers, Assistant Collectors and Deputy Collectors, empowered under certain sections of the Land Act and Revenue Act to exercise the powers of a Collector in respect to these matters? Who gives them that power; does the Collector?—I do not know whether they have under the Act any right to exercise any such power, they may be in one or two cases, but as soon as a man is appointed a Sub-Divisional Officer he would exercise those powers.

29318. Do you want the Sub-Division to be fixed by Government and an officer appointed by the Government to a particular sub-division who should exercise all the powers of a Sub-Divisional Officer?—Yes.

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29319. Criminal appeals from Subordinate Magistrates go to the District Magistrate. Might not the Sub-Divisional Officer have power to dispose of those? —That power could be delegated by the District Magistrate if he chose.

29320. Might the Sub-Divisional Officer not have it as a matter of course; if he is fit to be a first class Magistrate is he not fit to take up appeals in his own sub-division?—Yes.

29321. Therefore, instead of a power being specially conferred, it should be conferred on every Sub-Divisional Officer as soon as he has had a little experience? —Yes.

29322. In appeals in revenue and rent suits does the appeal go from the Sub-Divisional Officer to the Commissioner and not to the Collector?—Those appeals go to the Commissioner, not to the Collector.

29323. Might not they go to the Collector?—The Collector and the Assistant Collector exercise almost the same power. I am in favour of one appeal only in all cases. For instance rent cases which are tried by second class Assistant Collectors, are appealable to the Collector and I would make the decision final in the same way as those which are tried by the first class Assistant Collector and are appealable to the Commissioner. I would make the appellate court's decision final.

29324. Might not the decision of a first class Assistant Collector be appealable to a Collector just as much as the decision of a second class Assistant Collector? —He has no time for it.

29325. But assuming he could find time, might he do it?—He might.

29326. In fact he would have to if you abolish Commissioners?—But the appeal would generally go to the Board, because there you might have a better ruling and decision.

29327. Had you anything to do with Local Boards? —I had to look after the meetings.

29328. Was it a good thing to abolish them?—Those Boards were run by tahsildars only, and there was no harm done in abolishing them; they do very little work.

29329. You say the Sub-Divisional Officer should live in his sub-division and do the work of it; might it not be a good thing to give him a Board for his sub-division corresponding to the Collector's Board for the whole district?—The members of both would nearly always be the same men, so that it would only be doing the same work twice.

29330. Would not people take more interest in a thing if it related to a smaller area?—I do not think so.

29331. Has the District Board control over the dispensaries?—It has control over the dispensaries in so far as they have to pay so much money; otherwise not.

29332. Who manages the dispensaries?—The Civil Surgeon.

29333. Is there a Committee?—No.

29334. Does the Civil Surgeon manage them entirely?—Yes.

29335. Might the Board manage them?—They cannot manage them at present; they must be left to the Civil Surgeon, but if they are given more chance of making inspection, and so forth, it would be of some use.

29336. Would you have a Committee of the Board to discuss the management of dispensaries to which the Civil Surgeon should submit any proposal?—Yes.

29337. (*Mr. Hichens.*) How would you organize your village Councils; would you have a Council for each village, or would you have a Council for several villages?—There are some very large villages and some very small villages and in the small villages there are not a sufficient number of intelligent people to do any useful work, so I would leave them alone, but where there are villages with materials for forming a Council I would give them power.

29338. You would begin with the large villages and see how it worked?—Yes.

29339. How would you select the members of the Council?—In almost every village you will find there are some leaders of the people who would be the proper persons, because the people have confidence in them. There are headmen in every village under the Criminal Procedure Code, but those headmen are not of much use unless they happen to be the leaders of the village.

29340. Would you have a Council consisting of more than one man?—Certainly.

29341. Would they all be selected by the Collector? —Yes, but if you want to make it popular you should consult the people themselves.

29342. Would you have some of the members nominated and some elected?—With a system of election it would not work.

29343. Do you mean that the Collector should nominate them after consulting the people?—Yes.

29344. In a village where there were a certain number of *talukdars* would you be able to put other people on the Board as well?—*Talukdars* are big proprietors in Oudh, and there are equally big landholders in Agra owning 200 or 300 villages; they all belong to the same community, but sometimes a petty man is as respectable as a big *talukdar*, and there are many of them who would act, but the big men would not take to associate with them.

29345. Are there many factions in the villages?— Sometimes there are.

29346. Does feeling run very high?—Sometimes.

29347. Would you be able to get a Council able to control and manage affairs in such a village?—It would be almost impossible at present.

29348. But you would recommend it?—Yes, if the District Officers want it to be done, and they give some encouragement it would be done, but if they throw cold water on it, it will not.

29349. Do you mean that it should be undertaken under the personal supervision of the District Officer? —Yes.

29350. (*Mr. Dutt.*) Would you give the village community any power in regard to educational matters? —I think they are not so far advanced that any power should be given them beyond looking after the affairs of the school.

29351. Are you satisfied from your experience that education in villages is progressing?—Yes, during the last two or three years the number of schools has increased.

29352. Were you ever in charge of a particular department at the headquarters of a district?—I was in charge of the treasury for years; I was in charge of stamps and different departments.

29353. When you were a Treasury Officer you were not a Sub-Divisional Officer?—Sometimes I was.

29354. Is it the case that Sub-Divisional Officers are not appointed to the charge of sub-divisions by the Government, and are not appointed by gazette notifications?—Yes.

29355. And the Government only appoint a certain number of officers to a district, the District Officer posting them to sub-divisions?—Yes.

29356. What is the main source of income of District Boards now?—The main source of income of a District Board I do not know, but so much money is allotted to a division or a district.

29357. Have you any suggestions to make with regard to the improvement of primary education?— I have not considered the matter.

29358. Generally speaking, is the number of primary schools sufficient; is there one primary school for every village or for every two or three villages?—No.

29359. Supposing there are a thousand villages in a district, can you say roughly from your experience how many primary schools there would be in such a district?—From 150 to 200.

29360. Ought the number of them to be largely increased?—Yes.

29361. That can only be done by a larger contribution from Government, for educational purposes?— Yes.

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29362. The present law permits members of a municipality to elect a non-official Chairman ; has that right ever been exercised ?—As far as I know there is only one municipality which has exercised that right.

29363. You have said that if the Board of Revenue is kept, the services of Divisional Commissioners might be dispensed with, but have not Divisional Commissioners a very useful function to discharge in inspecting the work of District Officers ?—Inspection is done now by sending questions which are answered by the Collector, but as a rule inspection does some good.

29364. Does not the Divisional Commissioner visit the districts and come into contact with the people, and in that way do good work. If their appointments were kept up would you agree that the members of the Board of Revenue might have their functions enlarged and become to some extent Councillors and colleagues of the Lieutenant-Governor ?—Yes, in that case.

29365. In that way would a large amount of experience be available to the Lieutenant-Governor in his general administration ?—Yes.

29366. (*Sir Frederic Lely.*) When you were Sub-Divisional Officer do you think you had as much power as you might have had, or was there any further power which you might have had with advantage to the public ?—I had as much power as under the law was allowed.

29367. Had you anything to do with the estates under the Court of Wards, for instance ?—Not much.

29368. Had you anything to do with the assessment of income-tax ?—Yes.

29369. Did you have much to do with Local Boards ?—Yes.

29370. You were Chairman of the Local Board ?—Yes.

29371. Why do you say the Sub-Divisional Officer should usually live in his sub-division if the head-quarters are twenty-five miles away ?—Because he would be more in contact with the people ; all the cases go to the Sub-Divisional Officer, and if the people have to go twenty-five miles with a petty case it is a great hardship.

29372. Supposing it is found that a Government officer is quite unfit for his work and incompetent and he was made to retire on a reduced pension, would that cause great dissatisfaction in the Provincial Service ?—I think not ; it would be recognised as reasonable.

(*The witness withdrew.*)

Adjourned.

FORTY-SIXTH DAY.

LUCKNOW, *Thursday, February 13th*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. Colonel R. D. MURRAY, B.M., I.M.S., was called and examined.

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29373. (*Chairman.*) You are Inspector-General of Civil Hospitals ?—I am, since over three years, if I include an officiating period.

The provincial Medical Department deals with the medical administration of the province, the Sanitary Commissioner being in charge of the sanitary administration. Civil Surgeons are Superintendents of all dispensaries in their districts, as well as Superintendents of district jails and of vaccination. They are also Health Officers to District Boards, and in many districts they are the Medical Officers of the railways. In Benares and Bareilly the Civil Surgeons are, in addition to their other duties, Superintendents of lunatic asylums, and the Civil Surgeon, Agra, is also the Principal of the Medical School.

The Inspector-General of Civil Hospitals is the administrative Medical Officer of the Medical Department and is responsible for the efficient working of the department, which comprises 521 dispensaries, a medical school, three lunatic asylums, and the Chemical Examiner's Department at Agra. He is responsible for the proper working of the plague protective measures of the province and all measures connected with medical relief in times of famine or scarcity. He is also responsible for the internal administration of the Dufferin Fund institutions.

I consider that the question of fees claimed by Medical Officers for attendance on Indian Chiefs, nobles, and native gentlemen of high social position should be finally disposed of by the Inspector-General after consulting the Local Government without making a reference to the Director-General.

The right of Appeal to the Local Government in respect of administrative action by executive practice may be limited to officers in receipt of a salary of not less than Rs. 100 a month. Government has recently ruled that an appellate order is final in the case of officers drawing up to Rs. 50 a month.

The office of Inspector-General of Civil Hospitals, who is the Administrative Medical Officer of the province, should be increased by the appointment of a personal assistant. Bengal, Eastern Bengal and Burma, Bombay and Madras have all got personal assistants, and this province should be on the same footing, since statistics prove it is equal to them.

District Board budget schedules pertaining to the Medical Department need not be submitted to the Inspector-General for comment, but should be passed by the Commissioner on the approval of the Boards and Civil Surgeons. The appointment, promotion, &c., of District Board and provincial compounders may be left to Civil Surgeons and Boards.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers as they might tend to reduce or curtail the authority of such officers.

29374. Is this province divided, as other provinces are, into districts, each in charge of a Civil Surgeon ?—Yes.

29375. Are Civil Surgeons responsible to you as to medical matters, and responsible to the Sanitary Commissioner as to sanitary matters ?—Yes.

29376. Are they also Superintendents of Jails and sometimes of lunatic asylums ?—Yes.

29377. Do you find that the responsibility of one of your officers to two or three distinct Heads of Departments interferes with their proper duties ?—Not at all, I have never heard of any difficulty arising.

29378. Are you a member of the Sanitary Board ?—I am.

29379. How often does that Board meet ?—It meets three or four times a year.

29380. Do you tour ?—Yes, extensively.

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29381. Does the Board tour?—No.

29382. When some sanitary work is required in a district and a scheme is prepared, what happens?—The Sanitary Board is convened, the project is discussed by it, and recommendations are made.

29383. Does the Board go to see the locality?—I individually go when I can; the Board does not. The Superintending Engineer may accompany the Sanitary Engineer to certain places, but we never meet as a Board on tour.

29384. You meet practically only when some project is sent up to you?—We meet as a Board on certain matters; for instance, with regard to the Lucknow drainage scheme we came here to see the details of the scheme on the spot.

29385. But you do not meet to consider schemes from smaller municipalities or District Boards?—We do not; they are all submitted by the Sanitary Engineer and plans are exhibited.

29386. Who are they submitted to and by whom?—To the Board by the Sanitary Engineer, who is Secretary to the Board.

29387. Are they sent round merely as papers?—No, we meet and discuss them, and occasionally papers are circulated to the individual members of the Board for an expression of opinion when it is impossible to meet.

29388. How many schemes pass through your hands during the course of a year?—It is very hard to say, but I should think probably about ten schemes at each meeting.

29389. As a Board, have you any powers of sanction?—We approve or disapprove of schemes, but what eventually becomes of them I do not really know; I suppose they are put before Government.

29390. Have you no power to say whether a scheme is a satisfactory scheme or otherwise?—We have power to say whether it is a satisfactory scheme, but we have no power to pass direct orders; it goes to Government.

29391. Is that satisfactory?—It seems to be satisfactory.

29392. Is there no unnecessary delay in consequence of your having to consider a scheme first?—Of course the ways and means have to be found after it has been approved by us, and we cannot very well order it to be done without knowing whether the funds are there for carrying it out.

29393. Do you go into the cost at all?—Yes, the cost is stated by the Sanitary Engineer who is Secretary to the Board.

29394. But you do not concern yourself as to whether it is an economical scheme or an expensive one?—I think we do go into that matter because the Chief Engineer is a member of the Board and is capable of expressing his opinion as to whether or not it is an extravagant scheme, and every attempt is made to keep down extravagance consistently with efficiency.

29395 You have stated various powers and so forth which you think might be delegated to the Inspector General of Civil Hospitals; are there any of those powers which the Local Government could at the present moment delegate to you if they chose?—It depends on the Local Government's view.

29396. Do the District Board budgets come to you as far as they pertain to the Medical Department?—They do from all forty-six District Boards.

29397. And the municipalities?—No.

29398. Do you go into them all carefully in detail?—They are all carefully scrutinised.

29399. Is that necessary?—No, I think they need not come to us at all; that is one of the things that might be settled by the Commissioner.

29400. Do they give a good deal of trouble at the present moment?—They do, and they increase my office work unnecessarily.

29401. Do you practically make no comment upon them?—No.

29402. Are you satisfied with the services of all your officers?—Quite.

29403. You have nobody in your province you would like to return to the Military Department?—No; at the present moment I have an excellent lot of officers.

29404. Can you post or transfer your Civil Surgeons as you like?—I make all proposals to Government and they are almost invariably accepted both as to posting and as to transfer.

29405. You do not suggest then that that power should be delegated?—No; I think it is safer for the Government to sanction the Inspector-General's proposals.

29406. Who sanctions them as a matter of fact, the Secretary to the Department?—No, the Lieutenant-Governor, who relieves the Inspector-General. There are Inspectors-General, and one man might be in favour of one action and another of another, and it might be open to a suspicion of jobbery if the Government had not a final say in the matter.

29407. Would it not dispose of the matter if a man had the right of appeal?—That might be satisfactory.

29408. (*Sir Frederic Lely.*) Whom are Hospital Assistants in charge of rural dispensaries paid by?—By the District Board.

29409. Who appoints them?—I appoint, promote, and transfer them. I also generally supervise them.

29410. Has the District Board any hand at all in the management of the rural dispensaries?—They have a supervising power.

29411. Have they any control over the doctors?—If they are dissatisfied with a doctor they might report him to me for any action that I might consider desirable.

29412. Is there a Dispensary Committee attached to each dispensary?—I do not think there is a Dispensary Committee, but there may be a sub-committee of the District Board which deals with dispensaries.

29413. There is no special committee attached to each dispensary for the supervision and visitation of that dispensary only?—The Chairman and members of the Board are at liberty to inspect a dispensary as often as they like.

29414. But there is no more specific supervision than that?—As far as I know, there is not.

29415. Would the only recognised exponent of opinion with regard to a doctor be the Collector; that is the Chairman of the Board?—Yes.

29416. If he found reason to find fault with any Hospital Assistant would he write to you?—He would address me.

29417. Supposing your opinion differed from his, what would happen; would you simply file the correspondence?—No, I should not let it rest there. I should call on the medical subordinate for an explanation, and if his explanation was satisfactory, I should represent the fact to the Chairman of the District Board; if it was not satisfactory, I should deal with him departmentally.

29418. If your opinion differed from that of the Chairman, would you leave him to take further action?—I would refer the matter then to Government.

29419. Without any further reference from him?—Yes; I would not dismiss the case summarily without a reference to Government.

29420. Are Hospital Assistants, as a class, efficient?—They are.

29421. Are they able to make a *post mortem* examination to ascertain the cause of death?—The Assistant Surgeon class are all reliable men, and can be trusted with the performance of a *post mortem* examination.

29422. Who conducts *post mortem* examinations as a rule?—The Civil Surgeon himself at headquarters.

29423. What happens when the distance is great?—It is done mostly by Assistant Surgeons, but a few selected Hospital Assistants who are of lower class still are empowered to perform *post mortems*.

29424. Then are these officers of an inferior class who are forbidden to make examinations?—No, they are not forbidden, because they are actually trained in medico-legal work at Agra and are supposed to be competent to perform the duties. They are all supposed to be competent, because they have to pass examinations; but, because of the extreme importance of the subject, we select men for medico-legal work at places where no Civil Surgeon is available.

29425. It may occasionally happen that an ordinary Hospital Assistant is called upon to give a professional opinion as to whether a murder has been committed or not; is he sufficiently qualified to give that opinion?—Yes, but in very serious cases it is as far as possible the custom to send the corpse to the Civil Surgeon at the station.

29426. You say that the District Board has no voice practically in the management of the dispensary; under what supervision is your Hospital Assistant?—The Civil Surgeon inspects every quarter, and there are inspections made at odd times by the District Magistrate when he is on tour and members of the District Board who may happen to live in the neighbourhood of a dispensary inspect it.

29427. Would it not be a good thing if a Dispensary Committee was attached to each institution with responsibility for visiting it periodically?—I do not see the necessity for it at present, because I myself visit every *sadar* dispensary nearly every year. I do not inspect all branch dispensaries.

29428. But it is desirable to stimulate popular interest in them, and would not that be a good way of doing it?—Yes; the dispensaries as a rule in this province are very well managed indeed, but of course there is nothing like supervision.

29429. It would strengthen the hands of the doctor?—Certainly.

29430. Who pays for the *sadar* hospital?—The District Board.

29431. Does not Government make any special grant?—A new system was introduced last year under which Government subsidised the Boards for the purpose of meeting the expenditure on hospitals.

29432. Is the *sadar* hospital supposed to be under the management of the District Board or municipality?—Entirely under the District Board; the municipality pays a contribution as a rule, but does not manage it.

29433. Has a municipality no point of contact with it?—None except that usually in a station some member of the municipality is a member of the District Board as well.

29434. The municipality as such has no direct interest?—They all have an interest, but I do not think they have any direct control over the hospitals: they are under the District Board.

29435. Do you mean they have an interest as members of the general public and in no other way?—Yes.

29436. Would it not be a good thing to strengthen the connection of the *sadar* hospital with the general public by appointing, for instance, a Board of Visitors on behalf of a municipality?—It is already supervised by the District Board, and the members of the Board are at liberty to visit it whenever they like.

29437. But would it not be a good thing to give a special committee special authority to visit it?—In the old days before dispensaries were under District Boards they were under municipalities to a large extent, and there used to be a Hospital Committee, but that has ceased and the present system answers extremely well.

29438. If a hospital is only vaguely under a District Board, does that not mean practically that they have no touch with it at all?—I do not think so, because the Chairman of the District Board is the District Magistrate as a rule, and I would get reports from him.

29439. Supposing an ordinary member of a District Board interested himself in the management of a hospital and went one morning to see how it was going on, would his visit be welcomed?—Yes, I frequently get reports from members of District Boards who inspect dispensaries.

29440. I am speaking of the *sadar* hospital; would such visits not be resented?—Not at all; it is frequently done; a lot of inspection work goes on. I inspect, the Commissioner visits, the Collector visits, and individual members of the Board visit.

29441. And record their opinions in the visitor's book?—Yes, and they are all sent up to me and I take action on their reports.

29442. (*Mr. Dutt.*) As a rule have you a dispensary in every *tahsil*?—I do not think so.

29443. That gives an average of more than ten dispensaries for every district?—It does.

29444. Generally speaking, have you a dispensary in every important *tahsil*?—I think so; we are well off for dispensaries in this province as compared with other provinces. We have a little smaller population than Bengal and we have 521 dispensaries to 514 in Bengal.

29445. Are the dispensaries generally in charge of Civil Hospital Assistants?—Yes, what are called branch dispensaries.

29446. Does that number include also dispensaries at the headquarters of districts?—Yes.

29447. Are those dispensaries generally in charge of Civil Hospital Assistants or Assistant Surgeons?—Almost invariably of Assistant Surgeons.

29448. Are they appointed by Government on your nomination?—They are, on first appointment to the department. I appoint them to particular dispensaries.

29449. Do you find them generally a competent and satisfactory class of doctors?—Quite.

29450. Are all orders with regard to transfer or promotion passed by the Government?—All promotions and transfers are done by me. Up till recently Government approved of promotions to the senior grade, but that power has now been delegated to me.

29451. You do not propose any change in that rule?—No.

29452. You say you have two Deputy Sanitary Commissioners; what are their duties?—That is in the Sanitary Commissioner's department; the Inspector General of Hospitals and the Sanitary Commissioner are independent of each other.

29453. Do they inspect different districts and different municipalities?—Yes, they are out during the whole of the cold weather inspecting. There are two circles, a first and a second, and one of the most important parts of the Sanitary Commissioner's duty is to control the vaccine lymph depôt.

29454. You say that District Board members occasionally inspect dispensaries, both at headquarters of districts and in the interior; are these dispensaries almost entirely supported by the District Boards?—Yes. they are; there are some private dispensaries.

29455. And when they are situate in municipal towns does the municipality pay a contribution?—Yes.

29456. Are they generally under the supervision of the Civil Surgeon?—Yes.

29457. Supposing you got an unsatisfactory report as to the working of a dispensary from a member of the District Board, what action would you take?—I should immediately call on the Assistant Surgeon for an explanation, and the subsequent action would depend on that.

29458. Would you refer the question to the Collector as the Chairman of the Board?—If I get an unfavourable reply I usually take action and perhaps transfer the subordinate to another station, giving him a reprimand.

29459. Would you generally pass orders after consultation with the District Officer?—Generally, and also with the Civil Surgeon.

29460. As Medical Officers, Civil Surgeons are under you, and as Sanitary Officers they are under the Sanitary Commissioner?—That is so.

29461. Do they recognise it as part of their duties to inspect the different dispensaries in the district?—Yes.

29462. Are Civil Hospital Assistants appointed by you, or by the Government on your nomination?—They are not Gazetted Officers, they are appointed by me to particular charges, but their entry into the department is approved by Government. I select them by seniority, and if there is anything on the record against the man he is passed over for a good appointment, and so on, but as far as possible they are appointed by seniority.

29463. Do you keep a list of the qualified men and generally make appointments by seniority from that list?—Yes, but for special appointments we select.

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29464. I understand you to say that you desire the power of appointment of Civil Hospital Assistants within the sanctioned scale, but if you already have that power I do not understand your answer?—I want to be able to give a Hospital Assistant a permanent appointment on the *cadre* without reference to Government.

29465. At present have you to make a reference to Government?—Yes.

29466. As a matter of fact, are all your nominations accepted by Government?—Yes.

29467. (*Mr. Hichens.*) Who settles the scale of pay of Hospital Assistants and Assistant Surgeons?—There is a Government scale laid down by the Government of India.

29468. Is that not a matter which might be left to the Local Government to decide?—I should object to that; the pay should be the same.

29469. But is it necessary?—I think so; I do not see why a man in this province should get less than a man is getting in Bengal.

29470. Unless it could be shown that the local conditions were different?—No; this is supposed to be a cheap province compared with Bengal, but I would not on that account make any difference in the pay; besides prices are rising all over India.

29471. Your view is that it is desirable to have uniformity; Yes.

29472. Therefore you would prefer that the question of pay should be decided by the Government of India?—I do.

29473. (*Mr. Meyer.*) Have municipalities nothing to do with medical work except to contribute to the District Boards?—That is all.

29474. Taking a municipality like Lucknow, is it not a more wealthy body than a District Board?—But in big places the hospitals are not District Board institutions; for instance here, the principal hospital is neither a District Board nor a municipal hospital. There are grants made to it from various bodies. It was originally founded by the Maharaja of Balrampur, and he constantly gives large contributions, although the municipality and the District Board contribute also.

29475. Have you hospitals in the province, directly run by, and paid for by the Government, in any way corresponding to the Presidency General Hospital in Calcutta?—There is the Agra Medical School and Hospital; the Agra Hospital is really under the District Board. The Government runs the school and the District Board the hospital.

29476. As far as medical relief is concerned, it is all under the District Board, or private institutions, financially?—I believe so.

29477. Seeing that the District Board has nothing to do with the management, and only contributes to the cost, might it not be desirable to recognise the position and make these institutions provincial?—They are supposed to be managed by the District Board; I administer.

29478. The District Board's management consists in the payment of contributions, and in the privilege accorded to members of it of going to see a dispensary and writing their remarks in the visitors' book?—Yes. They are supposed to control the institution legally; they find the money, and they are at liberty to inspect, and if necessary can report to me.

29479. Could not any one of position in the town go to the dispensary and write remarks in the visitors' book?—I do not think he could, if he was not a member of the Board. Possibly if he was a member of the municipality and the municipality contributed, he might have power to visit, and there would be no objection to his visiting

29480. You are quite satisfied with the present position, and do not think you might go a step further and let the District Board have its own medical staff?—The staff is practically the staff of a District Board now, but they are appointed by me.

29481. The Bengal system is that the District Board can entertain qualified men as Medical Officers for its dispensaries, who are on its own district list, and not on the provincial list at all?—I am thoroughly opposed to that.

29482. As the District Board has so little to do with the real management, might you not recognise the position and take the management and the payment over by Government?—That is going back to the old system; the present system works very smoothly.

29483. If you are going to have control by a local body, is not the essence of it local knowledge?—Yes.

29484. That being so, would it not be better to let municipalities manage dispensaries within the municipal area; a Municipal Committee would surely be of much more value than a District Board?—Yes, but the municipality do not find the money.

29485. Supposing a municipality had the funds, might it not be better for them to manage?—It depends on whether you consider a municipality is superior to the District Board. My opinion is that it would not be any better to have a municipality controlling dispensaries, because a great many of the men on the District Board are also municipal commissioners.

29486. You say that Government aids the District Boards in order to enable them to contribute to dispensaries; is that not a rather roundabout way of doing it?—That is for the Government to consider.

29487. Does your Sanitary Board only take up big projects of drainage and water works, or does it deal with small matters also?—I think it deals with all matters that come before the Sanitary Engineer.

29488. Does it deal with the provision of latrines, for instance?—Yes, even latrines, and small bridges and culverts, and so on.

29489. Is it necessary for the Board to deal with these things?—They might be relegated to the Engineer's control leaving the Board to deal with large schemes.

29490. It has been suggested that the reserve of the Indian Medical Service which is now at the disposal of the Director-General of the Indian Medical Service and the Home Department, should be broken up and distributed amongst the various provinces; would that commend itself to you?—I do not quite understand that. We have our reserve now for this province.

29491. But for the Indian Medical Service, is there not a further pool, so to speak, at the disposal of the Director General?—We have a certain reserve of officers for leave vacancies.

29492. Are you satisfied with it?—I should like a few more. Just recently I got a circular from Government to say that the Jail Department, for the calculation of leave vacancies in the Indian Medical Service, was to be made a separate business. The leave vacancies of officers under me were previously calculated at 20 per cent. on a *cadre* of 46, which allowed me nine leave vacancies at my disposal, but this ruling reduces the number to eight.

29493. Do some of the stations differ from others as to the possibilities of private practice and the general amenities?—Yes.

29494. Do you go on the principle of posting the senior man to the best station?—Not invariably; for the best stations men should be selected having regard to their capacity.

29495. Supposing a good station was vacant, would you bring in a senior man because he happened to be senior, or would you put in the best man?—I should not appoint a man merely on account of his seniority; I should appoint him for his professional merits generally.

29496. Do you have many transfers in that way?—No.

29497. (*Sir Steyning Edgerley.*) Are not Civil Surgeons in Districts actually in charge of the hospitals?—They are responsible for the administration of all the hospitals.

29498. But are they not in direct charge of any particular institution?—Each man is in charge of the *sadar* hospital; the Civil Assistant Surgeon is only in subordinate charge.

29499. Is the Civil Surgeon in any way remunerated by the District Board?—No, he gets nothing from them—the Government pay him.

29500. Have you any centre of medical research in the province?—No, except at Agra; there is a certain amount of research work done by the Chemical Examiner, but there is no regular Research Institution.

29501. Is not every officer you get for civil employ lent to you?—Yes.

29502. Instead of that system, might you not have a provincial Medical Service with your own reserves?—It would help us rather; we should be freer.

29503. You would have to train your own specialists for the Jail Department, lunatic asylums, and so?—That would be necessary.

29504. Coming to the higher appointments, would you make your own selected list?—I would.

29505. Would there be any advantage to the provincial Government in that system?—We should have a greater choice of men if we got them from the Director General, because he could select from the whole of India.

29506. While at present you do not know in the least who you are getting into civil employ, and have to take whatever is given you?—Exactly.

29507. Does that system work well?—So far I have no reason to be dissatisfied.

29508. Have you had much experience with regard to the question of medical fees?—The system has only just begun to work, but there has been no friction or trouble so far

29509. Have you had any cases since the system began to work?—Yes, a few, and in each case the fees demanded have been extremely moderate. *Colonel R. D. Murray.* 13 *Feb.*, 1908.

29510. Do your officers have a regular settled scale of fees whomever they attend?—I cannot say.

29511. Do they vary their fees according to the patient?—The recognised fee is Rs. 16 for a visit and Rs. 32 for a consultation in the station.

29512. Supposing there was a gentleman lying ill in the north of the province who happened to be acquainted with a Civil Surgeon or a doctor at Lucknow and telegraphed for him, is there any provision for such a case?—There is no regular scale; if the fees are over a certain amount they are submitted under the rules.

29513. Have you known of any case in which under such circumstances, a gentleman of position has been prevented from getting the medical assistance he wished to have?—I do not know of any individual instance, but I have heard of the possibility of such a thing occurring.

29514. Is that a matter which ought to be left for the province to decide?—I think so.

(*The witness withdrew.*)

The Honourable RAI SRI RAM BAHADUR, C.I.E., was called and examined.

29515. (*Chairman.*) You are a Member of the Legislative Council of the United Provinces?—Yes, I have been a member for the last fifteen years. For about twenty-five years I have been a member of the Municipal Board of Lucknow (having been Vice-Chairman for fifteen years) and I was a member of the District Board of Lucknow for six or seven years. I have been a Member of the Viceroy's Council for six years. *The Hon. Rai Sri Ram Bahadur.* 13 *Feb.*, 1908.

Provincial Governments should have larger financial powers than they have at present. In matters of detail of expenditure the interference of the Central Government hampers the hands of the Local Governments. When a certain sum has been allotted to be spent on a certain head of expenditure, *e.g.* education, Public Works, it should be left to the discretion of the provincial Governments, in cases of necessity, to transfer the whole allotment or a portion of it from one sub-head to another. The provincial Government is the best judge of the working of details and the provincial requirements under its charge. The system of earmarking of a sum for expenditure on a given sub-head and insisting on its being spent on that special sub-head should be relaxed by the Government of India.

In the shared heads of revenue the United Provinces have been recipients of a smaller share as compared with the other provinces. Take for instance land revenue. None of the Indian provinces get such a small share as the United Provinces, their share being only one-fourth. The other provinces get not less than half, and in some cases it is so much as three-fourths. In stamps, excise, assessed taxes, forest, and registration they share the same fate, though in the last provincial settlement the share of the provincial Government under certain heads of revenue has been raised to a larger extent, but notwithstanding the fact that a larger amount has been assigned for local expenditure, that amount is still insufficient for the growing wants of these provinces.

I do not know the local conditions of other provinces, but if the Local Government were to go into the market for any large loans, it would not receive a favourable response from the public of these provinces.

Local Governments should have power to create new appointments of posts carrying salaries of Rs. 200 monthly, and of enhancing salaries up to Rs. 300, and specially so in cases where such posts are of a temporary character, and when the exigencies of the Public Service require that the appointments should be made without loss of time.

The right of appeal to the Government of India should not be curtailed, and a certificate as to the reasonableness of the grounds of appeal from the authority passing the order appealed against is not at all desirable. The right of appeal to the Government of India by officers of Government against orders affecting them personally should not be curtailed.

One of the necessary steps to secure effective decentralization, so far as these provinces are concerned, is to remove the duality of control of, and the exercise of nearly co-ordinate powers in many matters by, the Board of Revenue and the Local Government. At present the matter first goes from the Sub-Divisional Officer to the District Officer, from him to the Commissioner of the division, then to the Board of Revenue, and finally to the Local Government. In nine cases out of ten the recommendation emanating from the District Officer is the one which is finally adopted. It does not seem necessary that between the Local Government and the District Officer there should be two intermediaries, *viz.* the Commissioner and the Board. One is quite enough. After a consideration of the nature of the work which comes before the Board I would say the Board can be dispensed with. Except (1) land revenue, (2) revision of settlement, and (3) judicial and *quasi*-judicial work in the shape of rent and revenue appeals, there is no other matter which cannot be settled by Heads of the Departments concerned under the general control of the Local Government, no intervention of the Board of Revenue being necessary. A Revenue Commissioner, if appointed, when the settlement of revenue is in progress, will be able to deal with the questions of land revenue and assessment. The rent appeals can safely go to the highest judicial tribunals. In the province of Oudh, before 1890, all such appeals used to go to the Court of the Judicial Commissioner, which is the High Court of the province. Revenue appeals, which generally relate to partition and mutation of names, can be left to be finally decided by Commissioners of divisions. The percentage of reversals by the Board of Revenue is very small in rent and revenue appeals.

Commissioners should be invested with greater powers in matters relating to revenue, as they from their local knowledge are more competent to decide such questions than the Board.

Collectors and Sub-Divisional Officers should have power to suspend payment of rent and revenue without obtaining the previous sanction of the Commissioner, but subject to his general control.

The powers of Commissioners of divisions in matters of general administration should be enlarged to a greater extent than they possess at present.

The powers of Collectors of districts in matters relating to District and Municipal Boards within their districts require extension. There are many questions which can safely be decided by the District Officer without any reference to the Commissioner or other superior authority. In order to afford the District Officer sufficient time to cope adequately with the executive matters coming before him, he should be

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relieved from deciding original cases of all kinds—criminal, rent, and revenue. Rent, revenue, and criminal cases should be decided by the Sub-Divisional Officers, and only appeals should go to the District Officer.

The influence of the Commissioner is sufficiently strong and adequate weight is given to his opinions.

Europern Executive Officers have sufficient opportunities for personal contact with the people, but, with some honourable exceptions, these officers do not avail themselves of the opportunities. Differences in social customs and manners, want of that sympathy which the rulers should have towards the ruled, insufficient acquaintance with the manners and customs of the Indians, aloofness, and the rigidity with which they are required to do their routine work, and the consequent want of time at their disposal, are factors which singly or collectively stand in the way of these officers, and they do not or cannot utilise the opportunities which their official position has placed in their hands for coming into personal contact to a larger extent with the people. Some of these depend upon the personal temperament of the individual officer, others are due to press of work. No remedy can be suggested for the obstacles of first class except that the Government should insist on its officers to be more attentive in this respect. The other class of obstacle can be removed by relieving the officers from pressure of work.

The Executive Officers possess sufficient knowledge of vernacular, except that they do not fully understand the *patois* of the rural population.

In order to effect real decentralization, Commissioners and the District Officers should be invested with larger powers, and in many cases the final decision of the questions should rest with them. Such appointments should be made by selection and not by seniority.

The transfers of officers are unnecessarily frequent. In the case of District Officers and Commissioners the minimum limit of the period of holding charge of a division or district should be three years. Except in cases of urgency and the exigencies of the Public Service, the Local Government should make it a condition precedent to the offer of a Collectorship or Commissionership to any individual officer that he will have to stick to the post for the minimum period.

Municipalities should have more extensive powers than they possess at present; specially in sanitation, education, local taxation, and appointment of their subordinates. The municipalities of the United Provinces labour under another great disadvantage—they have to elect an official as their Chairman, who in the majority of cases is the District Magistrate. Though the number of municipalities in this province is very large, in only one solitary instance the Chairman is a non-official. The letter of the law does not circumscribe the election of a Chairman from among officials, but the practice insisted on is that he should be an official. The same is the case with the District Boards. The Chairman is always the District Magistrate. Steps should be taken to remove this great obstacle in the way of educating the Indians in the principles of local self-government. The municipalities and District Boards can properly be worked under non-official Chairmen subject to the control of the District Officers.

The system of finances which is in vogue in the District Boards, though improved to a certain extent lately, is not satisfactory. The Board should have complete control over the rates and taxes raised in the district; the amount so raised, if insufficient, should be supplemented by grants from the provincial funds. The present system, according to which the District Boards are allotted fixed sums by the Local Government irrespective of the local income arising in their respective districts, should be done away with.

Village unions do not generally exist in these provinces, but they can efficiently be organised; and when brought into existence where none exist at present they will be of great use.

I am in favour of establishment of Advisory and Administrative Councils. In questions of public interest affecting the people immediately, such as sanitation, education, and the like, action should be taken only in case it is approved by a considerable majority of the members of such Councils. These Councils should be for the Divisional and for the District Officers separately. They should consist of persons representing the landed classes, leaders of public opinion, different communities and interests and professional classes residing in the division or the district. Care should be taken to secure an adequate representation of the educated classes in these Councils. At least two-thirds of the members should be elected and one-third nominated. The number for each division or district should be fixed according to its population and area and the number of qualified men whose services can be obtained. It should be a guiding principle in the working of these Councils that if a large majority, say, two-thirds of the Councillors, give their unanimous opinion regarding a certain question, that opinion should be accepted, though the official view may not be in accordance with it.

I do not think it is advisable to invest District Boards with powers of supervision and control over smaller municipalities within their respective districts. So far as my experience goes, I have not found any village communities existing in the United Provinces to whom the powers can be safely entrusted at present.

29516. You say that you think under certain circumstances the Board of Revenue in this province might be dispensed with; do you look upon either Commissioners or the Board of Revenue as superfluous?—That is my view. There are two classes of work done by the Board, administrative and judicial; as regards the administrative work done by the Board, that can be easily done by Commissioners and the Heads of the several Departments if larger powers are given to them. For instance, take the case of the Department of Agriculture and Land Revenue; we have a competent officer at the head of that department with a large staff under him, so that there is no necessity of any intervention by the Board. Then if you look at the Board's Manuals, the work done by it is generally the work which comes to it from the several Departments, and it is not necessary that there should be first the District Officer, then the Commissioner, then the Heads of several Departments, then the Board of Revenue, and then the Local Government.

29517. In matters like Court of Ward questions would there be a feeling of satisfaction or otherwise, if they were decided by one person—a Commissioner, instead of being decided by two—the Board of Revenue?—As a matter of fact the questions which are decided by the Board of Revenue are decided by one member only; one member has charge of the Court of Wards Department, and it is he who decides, the other member being supposed to concur in his opinions.

29518. The feeling would be one of perfect satisfaction with the decision of the Commissioner?—Yes.

29519. Would you apply the same argument with regard to revenue appeals?—There are two kinds of appeals which go before the Board—rent appeals and revenue appeals. The rent appeals in Oudh can go to the Court of the Judicial Commissioner, those in the province of Agra to the High Court. Revenue appeals heard by the Board are generally in two classes of cases—partition of revenue-paying estates and the mutation of names in the revenue registers. Statistics show that the number of all such cases heard by the Board in any year either on the appellate or revisional side is not large. In the year before last, the number of revenue appeals decided by the Board was 466, and of revision cases 111. It was only in 60 appeal cases and 17 revision cases that the decisions of the Lower Courts were disturbed.

29520. Might those just as well have been settled by the Commissioners?—Yes.

29521. The duties and responsibilities of Commissioners might therefore be advantageously extended; would you say the same with regard to Collectors?—Yes, their powers also should be extended, and they should be relieved of all original judicial work.

29522. It has been stated that it might be difficult, even in a town of this size, to find private gentlemen who would be willing to undertake the onerous duty attaching to the Chairmanship of the municipality; will you give your views on that?—I beg to differ from that; it has never been tried; although the District Boards and the Municipalities Acts have been in force here for the last 25 years, there is only one municipality, and that is a second class municipality, which has a non-official Chairman; all the rest have official Chairmen. Government can exercise perfect

control over the doings of non-official Chairmen; it has power to suspend any resolution, and can do away with the Board if it likes under the provisions of the existing law. If non-official Chairmen are appointed there would be no harm done.

29523. Are there gentlemen in Lucknow who would be willing to undertake the onerous duties of the Chairmanship?—Yes.

29524. Who prepares the budget of the municipality?—The budget is prepared by a Sub-Committee which is called the Finance Committee, then it goes before a meeting of the Board, and then it is sent on to the Commissioner and the Local Government.

29525. Do the members of the municipality have some opportunity of seeing it before it is finally decided?—Always; full opportunity.

29526. Is the budget prepared by the Committee in consultation with the Chairman?—No, it is first prepared by the Secretary, then it goes before a Sub-Committee, and when it goes before the full meeting of the Board it comes before the Chairman. Of course he may look at it before if he likes.

29527. Have the Sub-Committee quite a free hand in preparing it?—Yes.

29528. Does the Commissioner criticise it?—Sometimes it is returned if he thinks the two ends do not meet. We do not find the small payments interfered with very much.

29529. In what way is the effective action of the municipality interfered with by the presence upon it of an official Chairman?—There is not the same amount of freedom in the opinions which are expressed by the members when the Magistrate of the district is present.

29530. You have no hesitation in expressing your views?—I cannot say that there might not be some cases where people are afraid of going against the wish of the official Chairman out of regard to him.

29531. Would not you be swayed in the same way out of regard to a non-official Chairman?—I think not.

29532. With regard to District Boards, would you say the same thing?—Yes, and further the decentralization scheme has not been carried out far enough in the case of District Boards as regards financial questions. The local rates which are raised in a district are not made over entirely to the District Board, but to the Local Government, which allots a certain portion to be spent in a certain district irrespective of the amount raised in the district, so that really they have no financial independence in that way.

29533. Does the Government make a contribution to the District Board out of provincial revenues?—Yes.

29534. Is that contribution plus the district cess, which is spent by the District Board, greater than the total amount raised in cess?—Sometimes it is not; generally speaking.

29535. Are you speaking as far as areas are concerned, or places?—Generally it is the places which are taken which go more to decide these questions than the requirements of special districts.

29536. Is the District Board budget much cut about?—No, but a District Board's budget is prepared officially—that is to say by the official members and the Chairman.

29537. In the case of District Boards would a private gentleman have leisure to tour about in the district if he was Chairman?—I think so; I cannot speak with regard to all districts, but in many districts we could find capable men who would be willing and who would have leisure to act.

29538. Does it not take a good deal of time to tour about a big district; are there many people who would do it?—I think there are one or two to be found in every district.

29539. You desire to see Advisory and Administrative Councils established; would there be room in a district for a District Board, Advisory and Administrative Council?—Yes, because the Municipal Boards and District Boards do not represent all the interests, and there are many gentlemen whom you will not find on either body so that you could get the assistance of such gentlemen also by the establishment of an Advisory Council.

29540. (*Sir Steyning Edgerley.*) What you want is to try to draw a greater number of people into local government?—Yes.

29541. You suggest that certain powers should be transferred from the Local Government to other authorities, and you say that specific amending legislation would be necessary; what do you mean exactly by the words "specific amending legislation"?—I mean that there should be an Act in which all the sections should be quoted and those powers specifically mentioned. There should be separate legislation, giving powers to the Local Government, and there should be some means adopted for giving publicity to the opinions of the Local Government before those powers are transferred. Before the powers are delegated to the Local Government, people should have a chance to express their opinion.

29542. Do you mean that there should be an Act authorizing delegation to take place, but requiring before it was done that there should be full notification and notice to the public?—Yes.

29543. So that you would have one Act which you could use whenever it was necessary, but you would not go to the Legislative Council on every occasion?—No.

29544. Do you mean an Act like Act V. of 1868, but safeguarded by notice and notification, and so on?—Yes.

29545. Are you an advocate?—Yes.

29546. So that you fully understand the distinction?—Yes.

29547. You suggest the abolition of the Board of Revenue; in Bengal they are working under a system by which the Board of Revenue is drawn into close contact with the Lieutenant-Governor; would that be an advantageous thing to do with the Board of Revenue here?—If it is decided to retain it.

29548. You would not retain the Board of Revenue, but would practically convert them into Councillors of the Lieutenant-Governor?—Yes.

29549. Have you noticed that there is any want of continuity by the one-man system of Government here?—Yes.

29550. You think the pendulum swings a good deal?—Yes, it does.

29551. You suggest that more power should be in the hands of Commissioners and Collectors, and you carry it down to the Sub-Divisional Officers and even to the tahsildars; so that really your principle is that, subject to appeal and revision, power should be placed as low down and as near to the people as possible?—Yes.

29552. Would you give Local Boards power of taxation?—No, not without the sanction of the Government.

29553. With sanction, would you allow them to tax?—Yes.

29554. Is not the electorate at present nominated by the Collector?—The list of electors is prepared by the Sub-Divisional Officer, with the approval of the Collector.

29555. If Boards had the power of taxation would that stimulate the interests of the people in their proceedings?—Yes, if they have the power of taxing and spending the money.

29556. The Councils you suggest would be partly Advisory and partly Administrative; they would be administrative in questions of sanitation and education and so on—in what class of subjects would they be advisory?—There are many classes of subjects relating to general administration and on them their advice might be taken.

29557. (*Mr. Meyer.*) You say that Local Governments should be allowed to transfer budget allotments for education, Public Works, and so forth, from one sub-head to another, but have they not absolute power in that respect now?—I do not think they have; sometimes when the grant is made by the Government of India, it is earmarked and the Local Governments are enjoined to spend it on the particular sub-head.

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29558. Apart from the grants made by the Government of India, is not the ordinary provincial expenditure entered in the budget open to the Local Government to transfer from one head to another?—Yes, small items can be transferred.

29559. The grant from the Government of India is for specific purposes, such as police and education, and in regard to that all the Government of India say is: "We give you this money for primary schools and we expect you to spend it on primary schools": is that unreasonable?—Supposing there is no need to spend the whole of that amount on that particular sub-head; still the Local Government is bound to carry out the directions of the Government of India, and must spend money on that although it might be spent more usefully on something else.

29560. The Government of India, rightly or wrongly, think that it is desirable that more money should be spent on primary education, and for that purpose they allot certain sums to each Government; if a Local Government finds the money cannot usefully be spent on primary education, is it not the proper thing to do to inform the Government of India so that they might give the money to some other province which can?—The powers of the Local Government are fettered. It cannot spend the money on any other sub-head, however urgently such other expenditure may be required.

29561. You say Local Governments require power to create new appointments carrying a salary of Rs. 200 monthly; but can they not go up to Rs. 250 already?—Yes, but the procedure necessary in order to get orders on the subject is so circuitous that it takes a long time before a thing is done.

29562. With regard to the suggested abolition of the Board of Revenue, is your idea generally to give the powers with regard to revenue matters now vested in the Board to Commissioners, and the Commissioner's powers to Collectors, and so on down the list?—Yes.

29563. Would you put the departments which are now under the Board of Revenue, the Director of Agriculture, the Commissioner of Excise, and so forth, under the Local Government?—Yes, that is my idea.

29564. The Local Government would be in direct relations with nine Commissioners besides the separate departmental Commissioners?—Yes.

29565. Would not that rather swamp the Local Government?—These things are managed in Bombay where they have no Board of Revenue. In Madras they have no Commissioners, and yet they manage things there. One of the two institutions, the Commissioner or the Board of Revenue, seems to be superfluous.

29566. Would there not be a want of continuity and uniformity in regard to questions of land revenue and education, if each Commissioner acted according to his own lights, subject merely to the supervision of the Local Government?—No; once the principles are fixed, then the Commissioner, or whoever may be the Executive Officer, carries on the work according to the directions. We require the help of the Commissioner in cases of remission and suspension which are questions of a temporary nature, but with regard to the questions affecting fixed principles, they are settled beforehand by the central authority, and the Commissioner has to carry out the directions.

29567. Which would you prefer, a Lieutenant-Governor and no Board, or a Lieutenant-Governor with a Council?—I would prefer a Lieutenant-Governor with a Council.

29568. Is not your description of the financing of Local Boards a little out of date?—Not quite; we have more independence now, but the whole amount which is raised by a District Board in a district is not invariably given to every district; some of them get a certain amount only. There is one provincial fund for all the rates raised in the districts, and out of that fund a certain amount is allotted to each district according to the requirements considered by the Local Government to be suitable for that district.

29569. Mr. Holms said that that had been changed, and that each district got the whole proceeds of its land cess, and that then there was a certain amount of contribution from Government which was allotted more or less arbitrarily between the District Boards?—That may be so this year, but last year it was not the case.

29570. You say that the District Board should have larger power in regard to education, but have they not a good deal of power now; are they not allowed to manage all vernacular schools in fact?—Yes. The system with regard to high schools is changed now according to the recommendations of a committee which sat a few months ago, and it has been decided that the District Board schools of that class shall be taken over by the Educational Department.

29571. That is, the English schools?—Yes. Then as regards the vernacular schools, the Board has simply to pay the money, but as to the requirements of particular places, and also the things to be taught, the Board has no voice whatever; it is the Department which fixes those things under the rules of the provincial Education Code.

29572. You think that is too rigid, and that the Board should have power to fix the curricula of the school?—Yes, to make suggestions.

29573. Would you admit a certain amount of advice and control by the Director of Public Instruction?—Yes.

29574. Would you be in favour of giving the management of the roads over to the District Boards?—Except provincial roads, they are managed by them.

29575. They are nominally, but they are really managed by the Government Engineer; would you be in favour of giving District Boards their own engineers?—Here we have certain Engineers who are in a way under the District Board, but not solely, and there are classes of roads, some of which are under the District Boards and others are provincial roads—as regards those roads which are purely District Board roads, they should be under the District Boards.

29576. With the District Board's own establishment?—Yes.

29577. Local Boards have been abolished here; was that a wise step?—Yes, they did not take much interest in the work.

29578. But they had very little power?—Yes, and their constitution was not satisfactory.

29579. Would it be possible to create Sub-Divisional Boards which would have some real power?—If real power is to be given them, these institutions of course would be of use, but unless some real powers were given them they will not.

29580. Should a Sub-Divisional Officer live in his sub-division?—No, not necessarily; some of the districts are not very large like they are in Madras and other places; the districts in Oudh are small, so that I do not think it is necessary that they should live at headquarters.

29581. (*Mr. Hichens.*) You said that District Boards ought to have powers of taxation subject to the approval of the Government; what powers do you suggest they should have?—Suppose there are any light railways or tramways to be constructed between a railway and some small town, they might tax the district for the construction or the maintenance of such a line.

29582. But what tax in particular might be put on?—It would be a sort of tax on the landed classes, and also on the people living in the district who have no connection with the land.

29583. An additional cess?—Yes.

29584. To-day the cess is a fixed amount; would you give the District Board power to decide each year what the cess should be, within certain limits?—Yes, according to the requirements of the Board.

29585. And if you had an economically-minded Board they could reduce the cess?—Yes.

29586. Would that give them a good deal more power of control?—Yes.

29587. And you do not think that would be unpopular?—No.

29588. You say that you would like to have unofficial Chairmen of the District Boards, but that you would allow Government to retain the control which they now exercise?—Yes, I would do that for the present, at any rate.

29589. That is to say, that you do not think there is any objection to the Government stepping in and saying that enough money was not being spent on education, for instance, or that enough money was not being spent on sanitation, and increasing the budget provision?—I see no objection to that. There would be a sort of check which is required for the present, owing to the circumstances of this country.

29590. Would you say it was particularly required because there is no very strong public opinion with regard to these matters?—Yes.

29591. If there is no very strong public opinion, therefore, there is no public control over the actions of the members of the Board?—Not to the extent that it should be.

29592. And until you can get that by means of education, it is desirable to have a substantial amount of Government control?—Yes.

29593. With regard to village Boards you say that it would not be safe to entrust them with powers at the present time?—We have not the village communities which existed in olden times.

29594. Do you view that state of affairs with equanimity?—No, I do not, but it is a matter which cannot be helped. Since many centuries these village communities have been disappearing in this part of the country.

29595. Are they dead beyond all possible power of resuscitation?—No, they are not dead. Their germs are existent, and perhaps they can be revived and nourished, but it would require some time.

29596. Is it a matter of importance that it should be done?—It is, and it would be the first and most important step in educating the people in rural areas in local self-government.

29597. Is it perhaps one of the biggest steps of all?—I think so.

29598. You suggest that certain additional powers should be given to the provincial Government, but I gather that you would make the granting of those powers contingent on the grant of wider powers to the Legislative Council?—I did not mean that.

29599. (*Mr. Dutt.*) You said that for the purpose of delegating powers you would recommend that an Act should be passed by the Local Government empowering the delegation of statutory powers when necessary to subordinate officers; when such an Act is passed do you propose that the powers to be delegated from time to time under the operation of that Act should be shown in a schedule?—It would be safer for the powers to be shown in a schedule and permission given to the Government to delegate any of those powers when necessary.

29600. So that when you say you would pass a general Act of delegation, it is your purpose to show in a schedule of that Act those powers which the Government may desire to delegate from time to time, and when the time comes for delegating any one of them, it may be done by Gazette notification; is that your idea?—Yes.

29601. You have said that the Board of Revenue might be abolished, and you would like to see a Lieutenant-Governor assisted by Councillors; would the present two members of the Board of Revenue be sufficient as Councillors?—Yes, I think so.

29602. As Councillors, would they have to take up work in the different departments and hold separate portfolios as in Madras and Bombay?—Yes.

29603. Besides that, do you propose that the two Councillors should also keep some of the present statutory powers of the Board to hear appeals in revenue and other matters, and to sit as a Board to decide important revenue appeals?—No, I do not propose that.

29604. Have you any special knowledge of settlement operations, and do you know what is done by the Settlement Commissioner and by the Divisional Commissioners in making the settlements?—An assessment statement is prepared by the Settlement Officer which is sent to the Settlement Commissioner and to the Board.

29605. Who sends the statement to the Settlement Commissioner?—The Settlement Officer.

29606. Has the Divisional Commissioner or the Collector any chance of criticising that statement before it goes up to the Board of Revenue or the Government?—So far as my knowledge goes, no.

29607. Are the rates published for general information before being sent up to the Government for sanction?—They are not.

29608. Supposing a zamindar or cultivator has any objection to bring forward after the publication of these rates, what opportunities have they for doing so?—They generally file an objection in the office of the Settlement Officer, and on appeal go to the Settlement Commissioners.

29609. Would you propose that these appeals against settlement should be heard hy the Collector or the Divisional Commissioner instead of being disposed of by the Settlement Commissioner?—I would propose that they should be heard by the Divisional Commissioner, because those assessment statements are generally published after they are sanctioned by the Settlement Commissioner.

29610. You say that municipalities have to elect an official as their Chairman; why?—Because the Act which governs municipal bodies, although it does not lay down any restrictions, says that the Local Government may frame rules, and in those rules the Government can say which of the municipalities must, as a rule, have the District Magistrate as their Chairman, so that with respect to the first class municipalities—that is those which have a population of over a lakh of people—it has been notified by the Government that they must have an official Chairman—that is, the District Magistrate. There is no rule in ether municipalities, but the practice is that it is always the District Magistrate who is elected Chairman of the municipality, or the tahsildar.

29611. Are the first class municipalities bound under the rules framed to elect official chairmen?—They have no right of election; the appointment is *ex officio*.

29612. As regards other municipalities what is the rule?—They do elect or they have a kind of election; they go through the form of election, but they have to elect the District Magistrate as the Chairman.

29613. Is it under the rules that they are compelled to do it?—No.

29614. Then why do you say they have to?—Because of the official influence brought to bear on them.

29615. You have referred to a Finance Sub-Committee of the municipality; has the municipality any other Sub-Committee?—Yes; my own municipality has a Sub-Committee of Finance, a Sub-Committee of Education, and a Sub-Committee of Health.

29616. Is the whole of the work under your supervision or under the supervision of the Chairman?—Under the Chairman and Vice-Chairman.

29617. Under that system is the work done well?—Yes.

29618. Would you suggest the same kind of division of work for District Boards?—Certainly. They have tried to form sub-committees, but division is not carried out to the same extent as it is in the municipalities; if it were it would be more useful.

29619. What control has a District Board over its schools; can it withdraw its grant or disestablish a school which is not giving satisfaction?—Yes, it can, but only primary schools.

29620. Is that done on the report of the deputy inspector or sub-inspector of schools?—Yes.

29621. Would it lead to a better distribution of work if orders were in the first instance passed by a sub-committee instead of being passed by the District Board itself?—Yes; they should go for sanction to the Board.

29622. (*Sir Frederic Lely.*) You say that you think municipalities and District Boards should have unfettered voice in the election of the Chairman; does that mean that you would not require even the approval of Government to the election of a Chairman?—I mean that the initiative should be taken by the Municipal Board, and if the man selected by them is quite unfit, in that case alone the Government should interfere.

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29623. Are the municipal meetings in this province conducted in the vernacular or in English?—In our Board it is mixed; some speak English and others not, just as they like, but the proceedings are always recorded in English.

29624. Is that advisable?—Yes, here in a city like Lucknow.

29625. What about smaller municipalities?—I think everywhere the proceedings are recorded in English.

29626. That means in smaller municipalities that a great mass of the ratepayers are not able to read the proceedings?—As a matter of fact very few ratepayers pay any attention to the proceedings.

29627. What is it the people in an average municipality really wish for? Do they wish for more election of members on the municipality?—Perhaps not that exactly. I think the number of elected members on these municipalities as laid down by the rules is quite enough.

29628. Do they wish for more voice in the management of the hospitals?—No, I do not think so.

29629. Do they wish for a more potent voice in the management of the schools?—Yes, they would like that.

29630. You are a pleader?—Yes. I am an advocate.

29631. Are you in the habit of pleading before the Judicial Commissioner or the High Court?—The Judicial Commissioner.

29632. Is he a European?—Yes.

26933. Do you find any timidity on your part when you plead before him?—No.

(*The witness withdrew.*)

Babu GANGA PRASAD VARMA was called and examined.

Babu Ganga Prasad Varma.

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29634. (*Chairman.*) What is your occupation?—I am the proprietor and editor of two newspapers, the *Advocate* and the *Hindustani*. I have been a member of the Municipal Board of Lucknow for the last 21 years.

Provincial Governments should have larger powers of disposing of the revenues of their provinces, and the Imperial Government should allow for use in each province a fixed percentage of its income. Having regard to the various works of usefulness which require the immediate fostering care of the Local Government in the United Provinces of Agra and Oudh,—for instance primary education, female education, technical education, development of commercial undertakings, and other works of equal importance and urgency,—at least 70 per cent. of the total income could most profitably be employed in meeting the needs of these provinces. The Local Government should be given the power to raise money by issue of debentures or otherwise, to enable it to start and complete works of public utility such as the construction of railways, tramways, markets, works which in course of time will more than repay the interest on the initial outlay. Prominence should here be given to the urgent necessity for continuity of policy. The greater the power vested in Local Governments, the greater would necessarily be the need for caution in this respect.

The tendency of the Secretariats and of the administrative machinery in general has been towards excessive impersonality and rigidity. Mechanical efficiency, though it may be considered satisfactory from a statistical point of view, has not been successful in appealing to the hearts of the people, who require a more human, even if less mechanically perfect, Government. Frequent transfers of officers, facilities of travel by rail and steamer, and a more and more rigid observance of law and procedure have contributed to diminish the personal interest of the officers in the people under their charge, and there is very little intercourse between the officials and those they govern.

It would be a move in the right direction if provincial Governments were allowed freedom to develop their administration on their own lines, adopting or not, at their discretion, suggestions of reform brought to their notice from outside. The economic and ethnic conditions of the different provinces are so various that to work them rigidly on the same lines would inevitably be prejudicial to their several interests.

I am strongly opposed to the suggestion of curtailing the right of appeal to the Government of India, and likewise that of appeal to the Local Government, by bye-law or by executive practice. The right is *not* unnecessarily liberal, but on the contrary a very necessary and proper safegaurd of the interests of those who possess such a right. The proposal that the right of appeal be made conditional on production of a certificate to be granted by the authority whose order is to be appealed against, is not a wholesome suggestion.

I would not increase the powers in matters of revenue of the members of the Board of Revenue or of any of the Divisional, District, or Sub-Divisional Officers. To safeguard the interest of the public, while it seems desirable to increase the power of the Head of the Local Government, it is essential, on the other hand, not to diminish the check which is at present exercised by the Head over those subordinate to him. The rule of seniority should, for purposes of promotion, be the guiding principle, but sufficient elasticity should be secured to allow deviation from the rule in cases of special fitness.

The transfers of officers are frequent, and should, in the interest of good government, be minimized. Re-posting of officers to the same district after return from furlough or long leave, and promotion in pay without change of office, are some of the ways in which the desired end might be secured.

Municipalities should be given larger powers in the matter of the election of the chairman and the appointment of the Secretary, greater freedom also in the imposition of taxation and expenditure. Municipal Boards may very properly be made the controlling authority of excise traffic and excise revenue. To prevent irremediable mistakes on the part of the Municipal Boards, the Government should have the power to veto their action in cases of emergency.

It would be a good thing to have a small advisory Council to assist administrative officers in matters educational and sanitary, and in any other matters which affect the right of, and impose restriction upon, the people.

It does not seem at all expedient to invest District Boards with the power of supervision or control over municipalities. It would be very difficult for two such bodies to work in harmony if one were placed in a position of authority over the other.

I would largely increase the powers of village communities over matters sanitary and educational, but only gradually their powers over revenue, police, and judicial matters.

29635. The Secretary of the Chamber of Commerce of Cawnpore told us that he thought there was a local market in which the Local Government could borrow money. Would you say the same thing of Lucknow?—I think that money could be raised for local works which are profitable to the city of Lucknow, if the people knew that the security was good.

29636. Even apart from the market on which the Government of India are accustomed to raise loans?—Yes.

29637. The people of Lucknow would produce their savings for the pupose of investing in provincial stock for local purposes, feeder railways, or markets, and so forth?—Yes.

29638. Would it be necessary in a case of that sort to issue stock in very small amounts, say of Rs. 15 each?—Something like Rs. 25 to Rs. 100.

29639. The present Government of India stock is Rs. 100?—Yes.

29640. How long do you think an officer ought to stay in a district?—Not less than five years.

29641. How long would you keep him there?—He may go on for ten years or so until he gets his promotion in the ordinary line.

29642. You would not limit the time in any way?—No.

29643. Do you think that that would enable the Collector to know the district very well?—Yes; he would be able to get acquainted with the people.

29644. He would be in the habit of knowing who was who, of consulting the most important and most responsible men in the district?—I think so.

29645. Have you seen that actually done in practice?—Yes; the senior officers have been more in touch with the people.

29646. You say that you would not increase the powers of the Board of Revenue in matters of revenue, nor would you increase the powers of any District or Divisional Officer. Why do you hold that opinion?—Their charges are already too large and they have too much to do; therefore I would not give them larger powers; I would not give increased powers even to subordinate officers.

29647. The last witness told us that he would like to see increased powers given to (amongst others) the tahsildar; do you take that view?—No.

29648. Is the tahsildar a good class of officer as a rule?—Their powers are already too much, and I would not increase them. Beyond the check of the District Officer, there is no local control; they can do what they like.

29649. The tahsildar used to be Chairman of the Local Board which has now been abolished and he is sometimes Chairman of the District Board nowadays?—He is, and he is now and then Chairman of the Municipal Board as well. I have heard of complaints from the towns generally that they do not like to see the tahsildar Chairman of the Municipal Board.

29650. Does this objection to the presence of an official Chairman of the District Board or municipality extend to the officer as such whether Indian or British?—Yes; it is not a question of any difference between the race of the official.

29651. Is it a question of the official in the chair, which, as the last witness told us, makes everybody frightened?—Not actually frightened. The District Magistrate's powers are such that generally the members cannot be quite free in their decisions or in expressing their opinions. He has a large number of men on the Board who are his own nominees, and he has always those members at his back in any resolution he has to move; and it so happens generally that the elected members do not get freedom or their voice is not heard in the manner it ought to be.

29652. Is it not so much a feeling of timidity that keeps people silent as it is one of hopelessness of overcoming official power?—Quite so.

29653. Do you think that the Municipal Boards have on the whole sufficient power?—The Municipal Boards as at present constituted are simply officialised bodies.

29654. But have they enough functions which they can exercise?—Yes.

29655. You suggest that they might be made the controlling authority in excise, traffic, and revenue. How would they exercise that authority?—In regard to opening new liquor shops in towns; no shop should be opened without the permission of the District Board or the municipality. In the same manner with regard to the sale of liquor in certain houses, or in a certain class of houses, it is the municipality which should be consulted.

29656. You want not only the power to open shops but to take the revenue arising from those shops. Is that a common practice in other countries?—I have been told that it is so in England; that is only from information I have had.

29657. The Advisory Council which you would like to see established to assist Administrative Officers ought to be a very small body; how many members would you have?—In a small district, from six to twelve men; one man from every *tahsil*, or something like that.

29658. Would they come together constantly?—Yes; they might hold four meetings in a year or they might meet once a month at the headquarters of the district.

29659. Out of a district would you get six or eight gentlemen besides the members of the District Board who would attend these meetings?—I see no reason why some members of the District Board should not be members of the Advisory Council; it depends a great deal on the powers the Advisory Council has.

29660. Would not that be doing the same thing twice over?—The District Board members as such are not consulted about the district administration, although now and then a District Magistrate may consult them privately.

29661. Would a District Board member know much about district administration?—Yes; he is in better touch with the people of his district than any one else.

29662. Are you often taken into consultation about matters out of the district?—Not very often. I am consulted privately once or twice in the course of the year.

29663. (*Mr. Hichens.*) How is your Advisory Council to be appointed?—I would have half the members elected and half the members nominated by the District Officer.

29664. Would they hesitate as much to give their opinion to the District Officer as the members of the District Board do to-day?—I only say that the members of the District Board cannot carry out their wishes; I do not know that they hesitate in giving their opinion; they do give their opinion, but there is the official majority always against them.

29665. I understood you to say that that has some damping effect on their spirits and that they therefore do not express their views?—They know that there is a standing majority against them.

29666. Would not your Advisory Council be equally deterred?—The Advisory Council would have no executive functions; it would only give its opinions.

29667. Then there would be still less chance of getting their opinions carried out?—I think not.

29668. You emphasise the necessity of a continuity of policy; have you got any striking instance in your mind where continuity of policy was absent?—Yes, so far as municipal administration goes. I would say that when one Lieutenant-Governor went and another came the policy was changed. Some fifteen years ago there was a scheme of water works proposed for the whole province; another Lieutenant-Governor said they wanted drainage works; the municipalities had not completed the water works; they left the water works alone and drainage was commenced; after that Lieutenant-Governor went away we found we had spent eight or ten lakhs on the matter; we still wanted ten or fifteen lakhs; we found there were no funds. In the same way after spending money we thought we might get good drainage works in Lucknow, but now we are face to face with the problem that we want another fifteen lakhs to save the river from pollution, but we have no funds to carry out the work.

29669. How would you remedy that?—I would suggest having larger popular control over such policy. These policies should be aggregated for the whole province; the people should be consulted, and they should know their financial position in order to judge whether it is possible for them to carry out their schemes. These things have to be laid before the Legislative Council in budget form, but there must be further power of control over such schemes.

29670. Would a Governor in Council secure greater continuity of policy than a Lieutenant-Governor without a Council?—I think it would be a good thing to have a Governor in Council.

29671. The last witness told us that he wanted to have non-official Chairmen of municipalities and District Boards, but he thought that the Government should retain the control that they have to-day; would you endorse that statement?—I would endorse that statement so far as municipalities are concerned, that there should be a non-official Chairman.

29672. And that the Government should have the control, as they have now?—They should have control so far as the budget and taxation is concerned. I want the municipalities to have larger powers in the matter of budget and taxation.

29673. Then you will not go quite so far as the last witness?—I would go with him so far as the non-official Chairman is concerned.

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29674. (*Mr. Dutt.*) You say that the right of appeal is not unnecessarily liberal; do you think it gives a sense of security to Government officers to have the right of appeal?—Yes.

29675. Has it also the effect of making an official careful in passing an order when he knows that there is a possibility of appeal against it?—Yes.

29676. Is it your opinion that Sub-Divisional Officers generally should reside in their sub-divisions or might they live at the headquarters of the district?—They should reside in their sub-divisions. They will then be more in touch with the people.

29677. You have told us that you are in favour of an Executive Council in this province. In that case would you still keep up the Board of Revenue?—I am not competent to say anything about the Board of Revenue, but if the member of the Council can take up the charge of the work which the Board of Revenue does, then there will be no necessity to keep up the Board.

29678. In villages are there generally headmen and leading men?—Yes, in this province in every village almost there are some leading men.

29679. Is it possible to organise some sort of village government with the help of these men?—It is quite possible.

29680. If such a village government were organised, would it help village administration and do good to the people of the village?—Yes it would help village administration, and it will save the people a good deal of harassment, especially at the hands of the police, if they can have panchayats to settle their own disputes.

29681. Is it desirable to have an officer specially told off to organise these panchayats?—I think Government could not do better.

29682. Would you confer limited judicial powers on the village panchayat?—Yes.

29683. Would you make these panchayats in any way subordinate to the police?—No.

29684. (*Sir Frederic Lely.*) You say that you would not give tahsildars and other subordinates any larger powers. Is it not an advantage to get orders promptly?—Yes, but now communication is so easy that orders can be got from the Collector, I would not enlarge the powers of the tahsildars in any case.

29685. If the tahsildar's order is in a man's favour so much the better; if it is not in his favour is he not safeguarded by appeal?—But for a man to appeal and get redress means a lot of trouble.

29686. On the other hand, there is an advantage in getting the original order quickly?—I would not exchange the other for that little advantage.

29687. Suppose a Collector visits a village which has been visited by hailstorm and has had the crops destroyed, would you not give the Collector power to say "I am very sorry for you, and I will see that you get remission at once?"—That might be done. I do not mean the Collector; the village officer may say in one village "There is no hailstorm at all"; then in the next village the Collector may be there himself, and would see that there had been a destruction of crops, and would give a remission.

29688. Would you give the good Collector power to make remissions?—I would give the good Collector power, but it is very difficult to make a general statement.

29689. Therefore you would deprive all of them of the power?—I do not want to give them power; I do not want to deprive them of any power. I say that I would not extend their powers.

29690. You would not give any clear power to a Collector to remit on his own motion?—That is my view.

29691. Then as to the power of licensing liquor shops, which you desire to give to the municipality. People who drink liquor are not as a rule represented in the municipality at all?—They are not represented.

29692. Then might not injustice be done to them?—These shops are not always opened in the interests of those who drink; they are more opened in the interests of revenue than in the interests of men who go to drink there. I can quote, so far as my own municipality is concerned, several cases where shops have been opened in quarters where drinkers do not live, and people come from a distance of one or two miles to get their drinks in those shops.

29693. I am supposing a case in which the people wish to get drink and they want a shop opened. Is there not a danger that your municipality if it is composed of people who think drinking is wrong, might deprive the people who do drink of what is a reasonable facility?—As to liquor drinking being wrong, I think that everybody agrees that it is.

29694. The people who make a habit of drinking do not think it wrong?—I am speaking of the authority which gives the license. The Collector in his heart of hearts believes that drinking is a bad thing, but he gives permission because there are a number of publicans who want to open a shop.

29695. Suppose there are a couple of thousand people who have been in the habit of drinking more or less from their youth, perhaps they want a shop to be opened or a shop to be maintained in a particular locality; is there not a danger that the members of the municipality, considering as they do that liquor drinking is wrong, might ignore the interests of the two thousand people?—I do not think so. If consumers can rely on the Collector to open the shop, they can very well rely on the twenty-four members of the Municipal Council to see that they are not deprived of drinking facilities, and that they do not have illicit distillation.

29696. (*Mr. Meyer.*) You say you desire to give provincial Governments freedom to develop their administration on their own lines; I suppose you refer to matters like excise or land revenue administration?—Education is one of the topics; I had not thought about excise; I am not competent to speak about land revenue; I am not a zamindar.

29697. Sanitation?—I have been thinking of certain rules about sanitation.

29698. One Government may think it necessary to trouble about secondary education and not to trouble about primary; another Government thinks it ought to go in for primary and not worry about secondary; do you think that each Local Government should have discretion?—Yes.

29699. On the other hand, you do not trust that Government in the matter of appeals. If a Local Government is to be trusted to carry out an educational policy, may it not be trusted with regard to appeals?—I do not distrust Local Governments with regard to appeals; I only give the greater chance to the people that they should have a right of appeal against an order by which they feel aggrieved; there is no distrust in that. When an order is appealed against it does not mean that the man who appeals distrusts the officer; it simply means that he does not agree with him, and he wants to get redress from a higher authority.

29700. In the case of education, suppose the Local Government resolved to devote most of its funds to primary education, and you were dissatisfied with that; would you admit the right of appeal to the Government of India?—Certainly.

29701. So that the Government of India really keeps the control?—Yes, the supreme control will remain in the hands of the Government of India.

29702. So long as you grant the right of appeal, as you suggest, you practically keep the control with the Government of India?—I do not dispute that the Government of India should have supreme control over all the provincial Governments.

29703. As regards municipal taxation, you say you want Municipal Boards to have a fairly free hand. Do you admit that there should be an Act laying down the actual rates and what things can be taxed?—Yes, but the Government should not interfere in different heads. Suppose in the Octroi Department we want to tax a certain thing, it should not lie with the Local Government to interfere with the decision of the Board. The Municipal Boards are not free, and I think they should be.

29704. The Local Government, under the instructions of the Government of India, prevent you from laying more than a certain octroi on articles which have already paid customs duty?—We do already tax certain articles which have paid excise duty.

29705. But not more than a certain amount?—The difference is not about the amount; it is generally about the class of article. If we want to tax a certain article we are allowed to do so, but if the Local Government does not feel that we should tax that article there is an objection.

29706. Take the case of Lucknow; a great many articles pass into Lucknow and then pass out of it for consumption in the surrounding districts; do you desire the right to tax those articles for the benefit of the Lucknow municipality?—We want to tax only those articles which are consumed in the city of Lucknow.

29707. You admit that Government may have control to that extent?—Yes.

29708. Is your Advisory Council to be purely advisory; if the Collector disagrees with the majority of his Advisory Council would he be able to over-rule them?—Yes, recording his views and sending them to the Local Government.

29709. Would you give the Commissioner Advisory Councils too?—Yes.

29710. We have heard from other witnesses that the village community in this province is broken up and that there is no real community of interest except in the matter of castes; do you agree with that?—Yes, but the material exists and the panchayats can yet be formed from different caste panchayats; there is the material in the province. *Babu Ganga Prasad Varma.* 13 *Feb.*, 1908.

29711. They can pull together?—Yes, they can be formed.

29712. And the impure castes can be represented?—In this province there is no such thing as impure castes, as in Madras. There are certain castes, but their interests can be taken up by another caste a little higher than themselves.

29713. Have you no caste here whom it would be pollution for members of other castes to touch?—Only the sweeper class and one or two others; their interests could be taken up by a caste a little higher above them.

(*The witness withdrew.*)

RAI KHUSHWAKT RAI was called and examined.

29714. (*Chairman.*) You are Deputy Collector of Hardoi?—Yes. *Rai Khushwakt Rai.* 13 *Feb.*, 1908.

Sub-Divisional Officers have all the powers necessary, but they have very little or practically no control over the police and the officials who are directly subordinate to them though they are the best judges of their work. No investigating police officer should be promoted, rewarded, or punished without official reference to the Sub-Divisional Officer in charge. A Sub-Divisional Officer should be authorized to make appointments on his own staff and in his sub-division when there is a vacancy. He should also be permitted to fine and suspend them, as is done by the officers of the Civil Courts. Similar powers should also be invested in Treasury Officers. By doing this Collectors' work will be curtailed considerably. At present a Sub-Divisional Officer has no power even to fine a peon. If he wants to fine any one under him he has to report the matter to the Collector, though in other respects he has absolute powers under the criminal and revenue laws.

I would not curtail the right of appeal to the Local Government or Government of India, to the Head of the Department, or to any other authority now granted in respect of administrative action. It would not be desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. The right of appeal is considered as one of the great blessings of the British administration. Any curtailment of it would create dissatisfaction in all classes.

The Executive Officers have fewer opportunities for personal contact with the people. The chief obstacle in the way of their freely mixing with them is heavy work. There is very little intercourse between the rulers and the ruled, and if there is any it is purely about business. Heads of Departments, such as Collectors or Commissioners, even do not know enough of the characters and personality of their own assistants because they have very little chance to see them. But there are many honourable exceptions to this rule. The first obstacle can be removed by the increase in the staff. Friendly and kind treatment in public and private of the people by the Executive Officers would create confidence and good will and affection, which constitute a substantial foundation for the stability of a good Government, and this can be achieved by unreservedly mixing with the people.

Executive Officers of some experience generally understand the vernacular of the province as it is spoken, but they do not possess sufficient knowledge to carry on correspondence in vernacular themselves. They should be trained more efficiently than they at present are in the vernacular of the province in which they serve. They should be made to learn the manners, and customs and the feelings of the people by mixing with them and not merely by reading books.

There is a general increase of work all round. It therefore naturally follows that there must be an increase in the administrative staff. In some instances a reduction in the area of the district is also desirable. Mere seniority should not be a recommendation for holding high posts like that of a Commissioner, Collector, or Sub-Divisional Officer. At least larger powers should not be invested in those who have not fitted themselves for such responsible posts, and grant of larger power will decidedly involve a greater care in the selection without regard to seniority.

Transfers are unnecessarily frequent. The longer an officer stays in a district, the better qualified he becomes to work successfully in the interest of the Government and public both. It takes full three or four years to an officer to know the people of a district, but as a rule he is not allowed to stay so long. Transfers should certainly be made when desired by an officer himself for good reasons or when it is desirable from the administrative point of view. If local arrangements are made in cases of vacancies up to six months, this to a certain extent will curtail many transfers.

Municipalities and District Boards both have got sufficient powers. But rules framed by the Municipal Boards, when based on model rules sanctioned by the Government, should be allowed to be passed by the Boards themselves without reference to Government, to avoid unnecessary correspondence and delay. They should be published in the Gazette for information. If there is anything objectionable Government can take notice of it.

I am in favour of non-official Chairmen for both the Boards when practicable, at least in smaller districts. If it is not done and local bodies are not allowed to control the affairs without being interfered with, the object for which self-government was created cannot be realized. District Boards should be empowered to create appointments of Rs. 100 and under without reference to Commissioner. Now they have no power to make appointments themselves. Travelling allowance should be granted to all District Board members on a uniform scale when they travel from long distances. Their non-attendance is often due to the expenses they incur and which they never get.

Advisory or Administrative Councils will be of immense good to the districts where they are created. But for the present I am not in favour of having them in each and every district as it will be difficult to get sufficiently educated and intelligent men for the purpose. But it will be easy to return two or three men from each district for the Council of the Commissioner. I would certainly recommend the creation of these Councils in each division to assist and advise the Commissioner in matters relating to education, sanitation, taxation, prevention of crimes, and in matters demanding the co-operation of the public with the Government carrying out its views. The Divisional Councils should consist of elected and nominated members, twelve or fourteen in number; half of this number should be elected and half nominated.

I would suggest that panchayats should be established for groups of villages located in big central

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villages for deciding petty civil and criminal cases and to control education and sanitation. Sub-Divisional Officers in charge of these villages should be invested with powers to dispose of appeals from the decision of such panchayats.

29715. As a Deputy Collector you decide rent and revenue and criminal cases; and inspect *tahsils* and police stations?—Yes.

29716. Do you collect revenue?—No. The collection is done under the supervision of the Collector by the tahsildar.

29717. He actually takes the revenue and pays it into the local treasury?—Yes.

29718. Have you been, as a Deputy Collector, a member either of a municipality or a District Council?—Yes, in Hardoi. I am Vice-Chairman of the municipality of Hardoi and Secretary of the District Board.

29719. Is there a paid Secretary to the municipality?—No, a non-official honorary Secretary; we cannot afford to have a paid Secretary there.

29720. In the municipality who prepares the budget?—The Secretary prepares the budget under the orders of the Chairman.

29721. Is that communicated to the members of the municipality?—Yes, at a general meeting.

29722. It is not circulated to them before the general meeting?—No.

29723. When the budget goes to the Commissioner, does the Commissioner make many alterations in it as a rule?—Sometimes, when it is necessary.

29724. Does he make them as regards the major heads or the minor heads?—Major heads when necessary. It comes back to the Municipal Committee and is laid before them.

29725. Have you got a Finance Committee in the municipality?—Yes, a sub-committee.

29726. Do they assist in preparing the budget?—Yes.

29727. Have you other sub-committees for other purposes?—Yes, Public Works, Sanitation, and education.

29728. In the District Board who prepares the budget?—In the same way; the budget is prepared in the office; it is then put in the hands of the Chairman and he makes changes if necessary; then it is laid before the General Committee and is passed and is submitted to Commissioner.

29729. But it is prepared in the office by the Chairman?—It is prepared in the office; the figures are collected in the office, and then afterwards the proper changes are made by the Collector.

29730. Is the budget circulated to members in the case of the District Board?—No, it is brought before a general meeting and each head is explained to them.

29731. Have you any Sub-Divisional Officers under you?—No, I am myself a Sub-Divisional Officer; the tahsildar is under me.

29732. Where does the tahsildar reside?—In his *tahsil*—in the sub-division itself.

29733. How many other Sub-Divisional Officers are there in your district?—In my district there are four Sub-Divisional Officers, including myself.

29734. Where do they live?—At headquarters.

29735. Not in their sub-division?—No.

29736. Would it be better that each officer should live in his own sub-division?—I think so. I have lived myself in two sub-divisions, and in the interests of the public it is desirable that a Sub-Divisional Officer should reside in his sub-division rather than at headquarters.

29737. Do you find that people come in from the sub-divisions to the sub-divisional headquarters?—They have to come, to the headquarters of the district.

29738. Do some of them come long distances?—Yes, they have to travel forty or fifty miles to headquarters to file a petition.

29739. Do they come for other purposes?—Yes. They come to the Civil Courts and to the Criminal and Revenue Courts.

29740. If the Sub-Divisional Officer was in his sub-division, would they take all those cases to him, or would they still have to come to the district headquarters?—They would take all those cases to the Sub-Divisional Officer, barring civil cases; civil cases have to go to the headquarters where the Civil Court is fixed; sometimes the Civil Courts are fixed in the *mufassal* as well.

29741. Would there be considerable saving to the people who live in these out-districts if they could come to the Sub-Divisional Officer in the sub-division?—I think it would be a great deal of saving of time and travelling expenses.

29742. It takes a man a considerable long time to travel forty or fifty miles?—Sometimes he walks, sometimes a man comes partly by road and partly by rail; it takes him a considerable time.

29743. How long would you say?—Sometimes it takes two days, fifteen miles a day if he walks.

29744. You tell us that there is very little intercourse between the officials and the people of the district; do they come freely to you?—As a matter of fact there is the same difficulty about the time; I cannot say "I will not see you"; it would be rather insulting to the people, but the amount of work we have to do gives us no spare time to talk much with them; they do come sometimes to see us.

29745. You find yourself considerable difficulty in finding the time to talk to the people because you have so much office work?—Yes, we have sometimes to write judgments and reports at home.

29746. A witness told us when he came to pay a visit to a Collector he was not allowed to drive into the compound; have you ever heard of such a case occurring?—Such a thing has not happened in my district.

29747. Have you ever heard of it happening in other districts?—I have heard of other cases. As a matter of fact people leave their carriage outside; probably they are required not to bring their carriages in.

29748. Would you feel very much aggrieved at that?—It is not for me to judge. I certainly would feel it. If I saw other people going and driving in and I was asked at the door to leave my carriage I should feel, not a little, but very much aggrieved.

29749. You say it takes three or four years for an officer to know all the people in his district; how long did it take you to know your district?—It took a pretty good time. We come to know the district pretty well in the touring season, and when we are acquainted with the district and come to know the people well and the dialect of the district, then suddenly we are transferred.

29750. Is there much difficulty in getting to know the dialect?—When I went to Hardoi the dialect of that district was quite different from the dialect of other districts that I knew; it did not take very long, but it took some time to pick up the new dialect.

29751. How long do you think an officer should stay in a district?—If there is no complaint against an officer and he is getting on very well with the people, I do not see any reason why he should be transferred at all. In these days even I have seen people who have their own property in the district, but there is no complaint against them.

29752. You say you think Advisory Councils would be of immense good; would it be difficult to get members?—In each district it will be difficult to get good intelligent men; for instance, speaking from my own experience of my District Board, some of the District Board members are not even literate. On the Advisory Council of course you must have some number of people, not one or two men, and in that way probably it would be difficult to have an Advisory Council in each district; I may be wrong; I have only the experience of one district, the Hardoi district.

29753. It would be difficult to get even two or three suitable men you think?—It is possible to get one or two men from the headquarters itself.

29754. But not in the outlying districts?—For an Advisory Council we should have at least one or two men from each sub-division.

29755. Would it not be much good unless you could get somebody to represent each part of the district?—That is my idea.

29756. (*Mr. Meyer.*) You say that a Sub-Divisional Officer should be authorised to make appointments of his own staff and in his sub-division. What is the highest paid clerkship?—The reader who reads the papers to us is paid sometimes Rs. 40, sometimes Rs. 50: it is according to the grade. About Rs. 60 is the highest.

29757. Are these people borne on the general district list for the purposes of promotion?—They are.

29758. Suppose you broke that up into sub-divisional lists, would not that interfere with the even flow of promotion?—I do not want to do that; we ought to have power to make appointments from the district list.

29759. Suppose you think highly of a man and want to promote him from Rs. 30 on to Rs. 60?—We should certainly not do that.

29760. You would keep the district list but you would allow the Sub-Divisional Officers to make selections from it?—Certainly.

29761. Do you desire to be able to punish and dismiss the people you appoint?—At present, if I want to fine a chaprassi or a peon on Rs. 5 a month I cannot do it.

29762. Suppose you had power to appoint a clerk, do you desire that you should have power to dismiss him?—I think I should have the power to dismiss him, but he should have the right to appeal.

29763. Can you appoint a peon at present?—No.

29764. The whole system is one of centralization in the hands of the District Collector?—That is so.

29765. You have no power of taking appeals in criminal cases?—No; some Sub-Divisional Officers have; for instance in the Kasia sub-division the Sub-Divisional Officer has; there are special sub-divisions in the United Provinces; he is authorised to take appeals from the orders of the tahsildars.

29766. Is that one of the exceptional sub-divisions where the Sub-Divisional Officer lives in the sub-division?—Yes; there is also a local allowance attached to it, about Rs. 250 a month. There are a few more sub-divisions like this.

29767. He has local appellate jurisdiction in criminal cases?—Yes.

29768. Might a Sub-Divisional Officer well take those appeals?—That would mean an increase of our work.

29769. But apart from the work involved?—Certainly, I should not mind it in the least.

29770. You have only a certain number of Sub-Divisional Officers invested with local powers in rent and revenue suits?—The first class Sub-Divisional Officers are invested with all the powers criminal and revenue.

29771. What is the distinction between first and second class officers?—The juniors are second and third class, and the senior men are first class.

29772. Are the first class people numerous?—Yes.

29773. How long were you a Sub-Divisional Officer before being first class?—I think I got first class criminal powers after two years.

29774. I am speaking of the classification under the rent and revenue heads?—I got first class powers after three or four years.

29775. Is it the same generally?—Yes.

29776. Might more officers receive first class revenue powers?—They could be supplemented.

29777. If a man is fit to be a Sub-Divisional Officer at all, after a relatively short training he might receive first class revenue powers?—Yes, they are given sometimes.

29778. When he has got first class revenue powers the appeals from his decisions go, not to the Collector, but to the Commissioner?—In some cases, for instance in partition cases, they go to the Collector; in rent cases they go to the Judge; in ejectment cases to the Commissioner.

29779. In the cases in which they go to a superior revenue authority, might they not go to the Collector in all cases?—Not in all cases.

29780. I am asking your opinion on the suggestion; is it not reasonable that the first appeal from the action of a Sub-Divisional Officer should be to his Collector?—There is no harm in their going to the Collector.

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29781. Is there not a great deal of work that you would like to delegate to the tahsildar?—We do that already. For instance, we forward lots of petty petitions which are presented to us to the tahsildar for disposal; even then the work is heavy.

29782. Are there not a good many matters which the tahsildar now sends to you for report which he could deal with?—Yes; for instance boundary disputes.

29783. Are there not a great many of those things which you might give the tahsildar final power over, subject, of course, to appeal to yourself?—Yes, power could be given to the tahsildar.

29784. An appeal can go up from the Sub-Divisional Officer to the Board of Revenue?—Not direct.

29785. And as regards disciplinary work, if you could fine your peon, he would appeal to the Collector?—If I am given that power of course he would go on appeal to the Collector.

29786. Is it necessary to have this unrestricted right of appeal in everything?—I think so; it is one of the best things we have now.

29787, Are tahsildars frequently transferred from one division to another?—Sometimes they are transferred, but not very often.

29788. Might the Commissioner be given power to appoint tahsildars, and naib-tahsildars putting them on a divisional list instead of on a provincial list?—It used to be done in former years; the Commissioner might have that power.

29789. Might the Commissioner post Assistant Collectors within his district without having to go up to the Government about it?—Yes.

29790. Do you think it was wise to abolish the old Local Boards?—I think so; I do not think it was a very good thing in those days.

29791. Could you have got some good out of a Board that had real power?—I think so.

29792. You think that your district is so small that one Board is enough to deal with local affairs?—I think so.

29793. (*Sir Steyning Edgerley.*) How many *tahsils* are there in your district?—There are four *tahsils*, one in each sub-division.

29794. What is the size of your sub-division?—Some sub-divisions are very big. My sub-division is about 30 miles long in one place and 20 miles broad—about 30 by 25; it has a population of 266,195.

29795. Is that a fair charge for one tahsildar, or is it too big?—The sub-division that I am now in charge of is a fairly good one; I could not call it a very big one.

29796. Not too big for a tahsildar?—No. There are naib-tahsildars also; generally we have only one naib-tahsildar in each sub-division, but in big places like Lucknow there are two naib-tahsildars.

29797. If you wish to bring powers down within the range of the people in sub-divisions and *tahsils* would it be necessary to increase the number of the tahsildars?—I think so.

29798. Do you as a Sub-Divisional Officer send in an administration report?—We do not send in administration reports, but we send a note on any particular matter upon which the Collector requires a report from us.

29799. Have you charge of the sub-divisional treasury?—No.

29800 There is a municipality at your headquarters?—Yes. I am Vice-Chairman.

29801. Who is the Chairman?—My Collector.

29802. Does he have much to do with the municipality?—He has a great deal to do with it.

29803 Does he come round and preside at the meetings?—Yes. We hold a meeting once a month.

29804. You say you have nothing to do with the collection of revenue?—No, the tahsildar collects the revenue.

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29805. Who collects it in the village?—Peons are sent to the villages. They go and tell the people to bring the money, and they bring the money to the treasury and deposit it there; and they also send their money by money order.

29806. Have you anything to do with the accounts?—When I go to inspect *tahsil* I have to check the accounts also.

29807. Then, so far, you have an oversight over the collection?—In that way I have.

29808. Can you suggest any other powers by giving which to the Sub-Divisional Officer he might be made more useful?—I am rather reluctant to give any further powers, because the amount of work we already have is too much.

29809. I suppose you travel about in your sub-division and make the acquaintance of all sorts and conditions of people?—We try to, but we have very little spare time to do it.

29810. But *you* ascertain fairly well the opinions of the people?—Yes, sometimes.

29811. Suppose you had an Advisory Council and they gave an opinion which did not agree with yours, which would you attach most importance to— your own opinion which you had formed by constant intercourse with the people, or the opinion given by the Advisory Council?—Occasionally I should have to attach most value to the advice of the Advisory Council, and sometimes I should adhere to my own opinion.

29812. Sometimes you would surrender your own opinion?—If I saw that the opinion of the Advisory Council was good, certainly, but otherwise I should say "I must adhere to my own opinion."

29813. Suppose you formed a certain opinion as to the crops of the year; you formed that opinion by looking at the crops yourself and also hearing what the people had to say; then suppose the Advisory Council gave an exactly opposite opinion, which would you report as a fact?—What I had seen with my own eyes; if I was satisfied that I was correct, I should certainly report what I had seen myself.

29814. As to the matter that has been mentioned of an Indian gentleman not being allowed to drive into the compound; if a man was forbidden to drive into the compound would it not be the work of the chaprasis?—In some cases it might be that the chaprasis were playing tricks; I should not wonder.

29815. Is it not likely to be done by the order of the officer?—It is difficult for me to say as to that.

29816. (*Mr. Dutt.*) Are the territorial limits of sub-divisions fixed by Government in this province?—Yes.

29817. Who directs that each sub-division is to consist of one *tahsil* or two *tahsils*; is that all fixed by Government?—Yes.

29818. When a Sub-Divisional Officer is appointed, is the appointment notified in the Gazette?—No. For instance, I am transferred here; the Collector of Lucknow will put me in charge of a certain sub-division; the Government have nothing to do with that.

29819. The Government sends a number of officers to each district, and the Collector can post them according to the exigencies of work?—Yes; for instance a Collector will say "You will take the treasury work, not sub-divisional work," or he may say "You can do both," or he may say "Do not do any work, but look after the office." It depends on the Collector; he gives me whatever he likes me to do.

29820. I understood that that sort of division of work was confined only to the *sadar* sub-division, but you say that an officer can be a Sub-Divisional Officer and also be in charge of the treasury?—That is so.

29821. That, of course, is not notified in the Gazette; it is only according to the orders of the Collector?—That is so.

29822. Do the sub-divisions generally consist of more than one *tahsil*?—No.

29823. Does one sub-division generally consist of one *tahsil* or more than one *tahsil*?—One tahsil only.

29824. Is that the invariable rule in this province?—Yes.

29825. In a sub-division there is thus a Sub-Divisional Officer as well as a tahsildar?—Yes.

29826. And a naib-tahsildar also?—Yes. The Sub-Divisional Officer stays at the headquarters; he does the whole criminal and revenue and miscellaneous work; the tahsildar stays in his *tahsil*, and he does the revenue work, looks after the collection of revenue, and looks after the other affairs of the *tahsil*; the naib tahsildar is under him. If a tahsildar goes out for four days he would hand over the keys of his treasury to the naib-tahsildar; one man must always remain in the *tahsil*.

29827. Does the naib-tahsildar exercise any judicial powers at all?—No.

29828. The tahsildar exercises second class powers?—Sometimes selected people get second class powers, but as a rule third class powers only.

29829. As a rule the cases triable by First Class Magistrates are tried by the Sub-Divisional Officer himself?—Quite so.

29830. You suggest "that rules framed by the Municipal Boards when passed on model rules sanctioned by the Government should be allowed to be passed by the Board themselves"; does it not strike you that the sanction of these rules requires some legal advice?—In these days the Government has framed model rules and has published those rules; we have only to fill up the blank spaces about taxes or anything else; I do not see the necessity of going so far in those matters; it takes such a long time to go through all that machinery unnecessarily.

29831. Are you not empowered also to modify the rules to suit the requirements of particular localities?—That might be done in the bigger towns; I have only the experience of one small place, where there is not even an octroi duty.

29832. In Bengal all these rules are approved of by the Legal Remembrancer before they are sanctioned by the Government; he sees that they are in every way legally correct and consistent with the Act?—They are never sent to the Legal Remembrancer here—at least, I have no knowledge of it.

29833. An opinion has been expressed to us that rent cases might be referred to Civil Courts; what is your opinion on that subject?—If the appeals from our orders in rent cases could go up to the Judges of the Civil Courts, I think it would be very good.

29834. Probably you are aware that in Bengal proper these cases are decided by the Civil Courts?—I do not know.

29835. Anyhow, you think that that could be done?—Yes; in days gone by the Collectors and Assistant Collectors used to hold civil powers; that was before I joined the Service; they used to decide civil cases as well. I believe there are some districts in the hill tracts where they may still decide civil cases.

29836. Revenue cases you would keep in the hands of the Revenue Officers?—Yes.

29837. Generally speaking, do you think that some division of work, distributing different branches of work to different sub-committees of the District Board would be a good plan, and that the members might then take a little more interest in the work?—We have done that.

29838. And so far has it been successful?—It has been successful, speaking generally.

29839. When a Deputy Collector is transferred from one place to another within a division should the Commissioner have power to order the transfer without referring to Government?—I do not see the difference whether the Commissioner transfers or the Government transfers.

29840. But should the Commissioner be empowered to transfer these officers without reference to the Government and without taking the orders of Government?—I do not see that there is any harm in the Commissioner having the power of transfer.

29841. You do not think that that might lead to more frequent transfers?—No; frequent transfers should be stopped of course.

29842. You do not think the Commissioner would be liable to be guided by bias more than the provincial Government?—I do not think so.

29843. (*Mr. Hichens.*) How many members of the District Board are there in your district?—There are sixteen members.

29844. Are they partly elected and partly nominated?—Yes.

29845. How is the electorate arrived at?—We have prepared a list and have got it printed.

29846. Who makes up the list?—It is prepared under the supervision of the district authorities. The tahsildar selects the names for the list; and then it is given to the Sub-Divisional Officer, for the District Magistrate's approval and the Commissioner's final sanction.

29847. Is the selection made on any principle?—Each man must possess certain qualifications.

29848. Anybody the tahsildar likes he puts in?—He would certainly not put down a labourer; he would put down the men who are respectable, and who possess the necessary qualifications.

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29849. A decent sort of labourer would have no chance?—A decent sort of labourer sometimes sits with the Judge as assessor, which is very wrong indeed.

29850. Is there any limit to the number of electors?—As I said, a list is prepared of about fifty members, and these people will elect from one *tahsil* or one sub-division.

29851. Does that work well?—I think it works very well.

(*The witness withdrew.*)

The Hon. PANDIT MADAN MOHAN MALAVIYA was called and examined.

29852. (*Chairman.*) You are a member of the Legislative Council of the United Provinces?—Yes.

Taking into account the vast changes that have occurred during the last three-quarters of a century these provinces should no longer be kept out of the benefit of being governed by a Governor in Council who should be a statesman of rank and experience, and should, as a general rule, be appointed fresh from England.

If a Governor in Council is appointed, the Board of Revenue should be abolished, and two senior members of the Civil Service, who are at present appointed members of the Board of Revenue, should be appointed as the Councillors of the Governor. It would be desirable that one of the two Councillors should, as is the case in Bombay, be taken from the Judicial branch of the Service, and the other from the Executive branch. In addition to these, there thould be two Indian Councillors in the Executive Council.

I would leave to the Government of India the revenue from all the heads which are at present wholly Imperial; and to the provincial Governments the whole of the revenues derivable from heads which are wholly "provincial" and also from all heads which are at present "shared" between the two Governments, making the provincial Governments liable to make a rateable contribution to meet imperial expenditure which may not be met from imperial receipts.

I am not in favour of giving borrowing powers to Local Governments. The nature of the duties that are cast upon them would not, generally speaking, justify a resort to loans. If the revenues of the provinces are fairly administered, they should suffice to meet the various obligations of the provinces or define the limit within which those obligations should be met. At present Local Governments should not borrow independently of the Supreme Government.

If provincial Governments are reconstituted as I have suggested, they should have the same power as the Governors in Bombay and Madras have in the matter of creating new appointments. The rule which requires that no European should be appointed to a post carrying a salary of Rs. 200 and more without the sanction of the Secretary of State should be kept up. But the Government should be free to make any other new appointment if its proposal is accepted by the Legislative Council of the province.

If provincial Governments are thus reconstituted, they should be given the fullest measure of freedom in applying or not to local conditions the general lines of policy laid down by the Government of India. The decision should be arrived at after the matter has been discussed at a meeting of the Legislative Council. Even under the existing system it is desirable that no change of policy should be brought about until the matter has been explained at a meeting of the Legislative Council, and an opportunity afforded to the members thereof to express their opinions about it.

If the present Local Governments are replaced by a responsible Government, all restrictions as to details in relation to matters entrusted to them imposed upon them by the Government of India, by law or by rules having the force of law, should be removed. If their character is to remain unaltered, then in provinces other than Bombay and Madras such restrictions had better not be relaxed.

The influence of the Government of India is at present certainly in the direction of excessive rigidity or uniformity. This will be forcibly illustrated if the recommendations of the Education Commission of 1883 are compared with the policy which has been pursued since the time of the late Viceroy in the field of education. During the earlier period the Government of India showed its solicitude to encourage private enterprise and variety of effort in education. During the last few years, particularly since the time of the Educational Conference at Simla, a policy of distrust of non-official enterprise in education and a desire to exercise a closer and stricter control over private institutions have been in evidence. The universities have been cast more or less into one official mould.

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The Government of India is too much dominated by considerations of revenue, except where its hands are forced by powerful interests in England. An instance of the last kind is afforded by the imposition in 1896 of the excise duty of 3½ per cent. on cotton goods manufactured in Indian mills. The instances of the former kind are numerous. The refusal of the Government of India to introduce a permanent settlement of the land revenue, which had been practically decided upon nearly 40 years ago, is one such instance. The refusal for years to raise the taxable minimum for the income-tax from Rs. 500 to Rs. 1,000 is another. The refusal for years to lower the duty on salt is a third instance.

I do not see much advantage in the Government of India maintaining Directors and Inspectors-General for departments which are primarily administered by Local Governments. I would leave the Local Governments free to administer those departments as they may consider best. It is no doubt an advantage to have a comparative view of the work done by the different departments of the different provincial Governments. But this can be done by a Secretary to the Government of India. If, however, Directors and Inspectors-General are to continue, their sphere of work should be confined to making a comparative review of the work of the provincial Governments, and of making suggestions which the Local Governments should be free to adopt or not as they may think proper.

It is desirable to allow provincial Governments to develop their administration on their own lines, adopting or not at their discretion, suggestions of reform brought to their notice from other provinces. One of the evil instances of the action of the Government of India in enforcing uniformity in the different provinces is the abolition of the system of competitive examination for the Subordinate Executive Service which was introduced in these provinces by Sir Antony MacDonnell, and which produced quite satisfactory results here, as it did in Bengal, where it had been in force for a long time.

I would not at all curtail the right of appeal to the Government of India now granted in respect to administrative action either by law or by rules having the force of law or by executive practice. To lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against, that reasonable grounds of appeal exist, would be to constitute the person whose action is complained against the judge of the reasonableness of the complaint, and would be tantamount

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in too many instances to taking away the right of such an appeal. The right of appeal to the Government of India now granted to officers of Government against orders affecting them personally is not unnecessarily liberal. I would not curtail it at all.

The Board of Revenue should be abolished as such and absorbed into the Executive Council of the Governor of the province. The appellate and revisional judicial duties of the Board should be transferred to the High Court. In other respects the Board enjoys very little independent power, either in matters of revenue or general administration. The final authority in matters of revenue and administration is the Lieutenant-Governor of the province, and I think he should so remain, and an Executive Council created to help him.

The Commissioners of divisions should be abolished, their judicial duties should be transferred to District Judges, and the Heads of the districts should be permitted to deal directly with the Governor in Council, as is the case in Madras. The Commissioners act, practically speaking, in many matters as so many channels through which proposals or reports are submitted to the Board of Revenue or the Government. They do not seem to be necessary in the economy of a good administration. At any rate I would not give any extended powers to Commissioners of divisions either regarding matters relating to revenue or of general administration

Collectors and Deputy Commissioners should not have extended powers in matters relating to revenue, and they should have the assistance of a District Administrative Council in matters of general administration.

No extended powers should be given regarding matters relating to the Court of Wards, to the Board of Revenue, or Commissioners of divisions, or Collectors and Deputy Commissioners. On the contrary, it is desirable that provision should be made that proposals to take up the estate of any person under the Court of Wards should be supported by the opinion of the District Administrative Council before they are entertained by Government.

I am not in favour of allowing the delegation of powers now vested in Local Governments, by the Civil Service Regulations or other Financial Rules to Heads of Departments or Commissioners of divisions, or other subordinate authorities.

Executive Officers have opportunities for personal contact with the people, but they do not properly utilize them. The opportunities might well be increased, but unless the desire to utilize them increases also no good will result. Among Executive Officers the Commissioner of a division enjoys perhaps the largest amount of spare time, but few sufficiently utilize the opportunities to come into personal contact with the people. The District Magistrate has to perform multifarious duties, and he may reasonably urge that he has not sufficient time to spare to meet the people. He should be relieved of his judicial duties, and should not be required to preside over Municipal and District Boards. This will give him sufficient time to move among the people, to become better acquainted with their wants and feelings, and to interpret better the intentions of the Government and the objects of the measures which it may introduce to the people. The real obstacle to a freer intercourse with the people is the deplorable feeling which European officers generally have that Indians belong to a subject race and are an inferior people. Executive Officers are particularly dominated by the feeling that they belong to the governing class and that they should not meet Indians on a footing of equality. It is this feeling which is at the bottom of the gulf which separates the Executive Officers from the people. Under the influence of this feeling not only a junior officer but sometimes even a senior officer fails to show the courtesy and consideration to an Indian of high position which he would show even to the head assistant of his office.

Executive Officers do not, as a rule, possess a sufficient knowledge of the vernacular. There usefulness and popularity are much affected by this circumstance.

The transfers of officers are not necessarily frequent. The present practice of not allowing an Executive Officer to remain in the same place for more than five years is a beneficial one and should be kept up.

The powers and functions of municipalities and District Boards do not require to be extended in these provinces. The Acts which govern them have invested them with sufficiently large powers. They should be somewhat freed from official control. The municipalities Act permits Municipal Boards generally to elect their own Chairmen. But with the exception of one Municipal Board, all have got the District (or other) Magistrate as their chairmen. The Local Government has, under the provisions of the Act, ruled that the District Magistrate shall be the Chairmen in five of the largest municipalities of the province. These municipalities contain the largest number of public spirited and educated citizens, and are just the places where Municipal Boards could with ease and advantage elect a non-official Chairman. It has been recently stated that suitable persons are not available even at places like Allahabad and Benares to guide the affairs of the Municipal Boards. The Allahabad Municipal Board has during the last twenty-five years had a number of non-official Senior Vice-Chairmen who would have discharged the duties of the Chairmen with credit to themselves and with advantage to the citizens. Some of the Municipal Boards of these large cities from which the privilege of electing the Chairmen has been withheld, have had among their members gentlemen who have for years been members of the Local as well as the Imperial Councils, and one member who has recently been appointed a Judge of the High Court. Suitable persons are not available even at places like Allahabad and Benares to preside over the Municipal Boards. One evil effect of withholding the privilege of electing the Chairmen from these larger Municipal Boards, and of placing an official Chairman over them, has been that with one exception the small municipalities have refrained from exercising the privilege of electing a non-official Chairman.

Though the District Boards have the privilege of electing non-official Chairmen they have systematically elected the District Magistrates as their Chairmen. They have not been encouraged to elect a non-official Chairman. The system of self-government, introduced by Lord Ripon with the object of giving political education to the people has to a large extent been frustrated. To promote real self-government, and to induce more men of ability, independence, and character to take part in the public life of their towns, districts, the larger municipalities should be given the power to elect non-official Chairmen, and all municipalities and District Boards should be encouraged to do the same. In the case of the District Boards it is also necessary that the franchise should be extended to all landholders who pay a certain amount of revenue, and all persons who pay a certain amount as rent or income-tax, and should not be confined, as at present, to those persons only whom the District Magistrate may consider fit persons to be electors. Municipal and District Boards should receive a larger share of the provincial revenues to enable them to adequately discharge the many obligations which have been cast upon them.

I am in favour of creating Administrative District Councils to assist District Officers. The creation of such Councils has become necessary in the interests of good adminstration. Sometimes owing to a want of knowledge of the condition and feeling of the people, sometimes owing to inexperience, and to the misrepresantations of subordinate officers, the District Magistrate is led to commit serious blunders. If the District Magistrate has an Administrative Council consisting of two officials and two non-official gentlemen possessing experence and capable of giving independent advice, such blunders could be avoided. All questions of administration, as distinct from purely routine work, particularly questions relating to the grant of remission of land-tax in times of scarcity, of the distribution of *takavi* and charitable relief, questions relating to the construction of tanks, wells, &c., of forest administration, the administration of the Arms Act, the Excise Department, the assessment and collection of income-tax, recommendations regarding the taking up of an estate under the Court of Wards, questions relating to religious fairs, festivals, and disputes, measures to prevent the advent or spread of infectious disease and measures relating to the preservation of the public peace should fall within the scope of these Councils.

A District Advisory Council may also be formed, consisting of all the members of the Municipal and District Boards and of the District Administrative

Council. It should meet at least once every six months at the headquarters of the district. It should be empowered to consider any matter which the Municipal Board or the District Board may wish to bring before it for consideration, in addition to those subjects which the Administrative Council or the District Magistrate may desire it to discuss. These gatherings will help in making the views of the people known to the Government through the Head of the district, and the views of the Government to the people. This will prevent misunderstanding, and will promote good feeling between the rulers and the ruled. Other select leading citizens of the district, official and non-official, may with advantage be invited to the meetings of the District Advisory Council.

It is both desirable and practicable to give village communities greater powers in the disposal of local affairs relating to revenue, police, sanitary, educational, and other matters, such as the disposal of criminal and civil cases. A village union or panchayat should be created in every large village or in a group of small villages. It should be elective, and should be entirely free from official influence. Its success will depend upon its being a purely people's institution. If it is so constituted, it can do more to promote the progress of the village and the happiness of the inhabitants thereof than any other institution that I can think of. Its constitution should be popular, and it should be invested with a fair degree of responsibility and power. The District Administrative Council should supervise its administration and help and encourage it in its good work by offering advice and assistance.

29853. Have you been a member of either a municipality or a District Board?—Yes, of the Municipal Board of Allahabad. For two years I was junior Vice-Chairman and for one year senior Vice-Chairman.

29854. You have then at Allahabad two Vice-Chairmen?—Yes, a senior and a junior.

29855. Have you a Secretary as well?—There is a paid Secretary.

29856. Have you practical freedom in the composition of your budget?—The freedom of the Board is largely affected by the presence of the official Chairman. The budget is prepared by the Secretary under the direction of the Chairman; then it is brought before the Board; the Board discuss and pass it, and it is then submitted to the Commissioner; the Commissioner has the power to allow or not to allow the budget; the Board cannot incur any expenditure except in accordance with the budget sanctioned by the Commissioner.

29857. Have you found that the Commissioner has interfered very much with the details of your budget?—He does interfere, sometimes more, sometimes less.

29858. As a matter of fact, has he interfered?—I believe he has interfered and does interfere, but I cannot cite instances at this present moment.

29859. You say that the presence of an official Chairman is a check upon the freedom of action of the municipality; in what particular direction?—In all matters that come before the Board and the discussions at the Board, the Chairman's opinions predominate to a great extent. There are a certain number of members nominated by the Government on the recommendation of the Chairman; these members, and some other members too, when the Chairman has formed a strong opinion, sometimes shape their opinion according to that of the Chairman. Sometimes when the Chairman finds that independent members have expressed an opinion contrary to his own and there is difficulty in carrying what he wants, he speaks to some of the members privately and in that way influences them. If there are members who are not particularly strong in their views and they find that the Chairman has taken up a strong view, they offer a certain amount of opposition, but after a while they give in. So that the decisions of the Board are not always free. Some of the municipal commissioners are appointed Honorary Magistrates on the recommendation of the Chairman, and the nominated members are nominated on the recommendation of the Chairman, so that in the case of both those classes of members there is a further influence at work which makes them attach a great deal too much weight to the opinion of the Chairman at times.

29860. But suppose the official, whoever he was, was no longer Chairman, he might exercise the same influence outside the meeting as he does at it?—That would be very seldom; when the District Magistrate is not on the Board he will not be prying into the affairs of the Board, and the occasions of interference would be very much minimised if they do not altogether disappear.

29861. When you say that there is a considerable amount of interference, has that interference been injurious to the municipality?—Sometimes it has been.

29862. In what particular?—In the matter of taxation. We do not want to impose a certain tax; the Chairman takes a strong view, and he gets the tax imposed.

29863. Can you give me a specific instance?—Yes. At Allahabad there was much opposition to the imposition of the house-tax, but it was carried, and there it stands.

29864. For what purposes are the proceeds of the house-tax devoted?—Specially to the maintenance of roads; it is not earmarked, but it was urged that it was necessary to increase the municipal income in order to maintain the roads in proper condition; much money has to go to that end, and also to meet lighting and other expenses.

29865. So that if this tax had not been imposed the town would have been rather less well-paved, and perhaps rather less well lit?—If the revenues had been administered differently in other respects, the same results might have been obtained, though not to the same extent; we might have spent less; of course if we had spent twice as much as we were spending the roads and pavements would have been better still. It must be borne in mind that we can only enjoy what we can pay for; we do not desire to have the luxuries of civic life which our means do not justify us going in for. In fixing the term of service of a water works Municipal Engineer and in the appointment of a Municipal Civil Engineer, and in many other instances, the views of the official Chairman have predominated. On the whole, speaking generally, the influence exercised is in the direction of restricting the freedom of action and the freedom of judgment of the Board. This has one very evil effect, namely that independent members who wished to give their time and services to the Board do not feel inclined to continue to do so, and other people of the same class are deterred from joining the Board; they see it is no good.

28966. Have there been resignations of members?—It is not a case of resignations alone; there have been some resignations, and there have been other cases of men refraining from going on the Board.

29867. You say there has been a policy of distrust in the matter of education?—During the last few years the restraint imposed on secondary schools has been increased. The freedom that they exercised two decades ago in the matter of appointing teachers and so on has been restricted; now they are required to keep up to a certain standard, and that standard imposes a uniformity which is not always to the advantage of the people.

29868. That has nothing to do with the Local Government; it is the Education Department?—Yes, but the Education Department is controlled and guided by the Local Government.

29869. What schools does your municipality control?—There are a number of primary schools which we maintain ourselves; then there are a number of aided schools, European and Indian, to which we make contributions, but we do not control these aided institutions in any manner. We simply make a contribution on the reports which we receive from the inspector or from the deputy inspector of the Education Department.

29870. Do you inspect these primary schools?—We have an inspector of our own for the primary schools; in addition to that we have a deputy inspector of the Education Department inspecting our schools.

29871. Have you had a sanitary scheme for Allahabad lately?—Yes.

29872. What was the course that that scheme took?—We have had schemes of drainage; before this there have been schemes of drainage for limited areas. We have got two Municipal Engineers—a Water Works Engineer and a Civil Engineer; the proposals are made and they are submitted to Government.

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29873. Who makes the proposals?—The suggestion is sometimes made by the Municipal Engineer himself, sometimes by the Chairman; then a scheme is prepared, and it is sent up for approval to the Sanitary Department of Government if the cost of it exceeds a certain sum. I do not remember exactly how much. Then it goes to the Sanitary Board; when it has been approved by the Sanitary Commissioner and sometimes by the Sanitary Board, it is carried out.

29874. Is it sent back to the municipality after it leaves the Sanitary Board?—Yes.

29875. Then does the municipality sent it back to Government?—No, it is not sent again to Government; the municipality carry it out.

29876. Does this process take a long time?—I have not taken note of the time. We have just got out a big proposal for drainage which involves an expenditure of several lakhs; it is now before the Board.

29877. Does the municipality raise that money?—No, we shall have to take a loan from Government for the purposes of that large scheme.

29878. Could you raise that sum locally?—I doubt whether we could raise it—it is 18 lakhs of rupees.

29879. (*Mr. Dutt.*) You have asked for complete financial independence for the Local Government if the Local Government is reconstituted as you propose. You know, of course, that all laws are sanctioned by the Imperial Government: do you also propose complete legislative independence of the Local Government?—I would give them complete legislative independence in matters within their provinces; that is to say, I would constitute them semi-independent Governments for the purposes of their provinces.

29880. You do not think it is desirable that the Imperial Government should have some control over the administration of provincial Governments in order to secure some degree of uniformity in all the provinces?—It is of greater importance that the Local Governments should be conducted with the control of public opinion in the provinces than that the control should be exercised by the Government of India from a distance. If my proposals to secure a proper and effective control of the public opinion of a province over the action of the Local Governments are accepted, I would not care for the control of the Government of India.

29881. Leaving that aside, is not some degree of control on the part of the Indian Government necessary and desirable in order to secure a certain degree of uniformity in the administration of the different provinces?—I am doubtful about the advantages of it.

29882. The Local Government would not be able, you say, to borrow on the same terms as the Government of India?—If the revenues of the province are properly administered the necessity of borrowing would not arise. There is no urgency about many of the matters which Local Governments have to deal with and they could be postponed; if the necessity arises, and the Government thinks fit to exercise the power, they would not be debarred from exercising the power if they are made semi-independent.

29883. Suppose the Local Government desired to undertake some large works or to meet some very urgent calls in times of famine; should the Local Government be allowed to borrow in the open market or should they get the money from the Imperial Government?—That is a question about which I have doubts.

29884. As regards the delegation of powers, it is desirable that the Local Government should be empowered by a general Act of delegation to delegate its own powers to its own subordinate officers as occasion arises?—I would specify the powers to be delegated; a general Act of delegation would not be desirable.

29885. You think if an Act of delegation is passed, the powers should be specified in the Act itself, and then those powers should be delegated according to necessity?—Yes, not otherwise.

29886. You say it is desirable to allow provincial Governments to develop their administration on their own lines adopting or not the suggestions of reforms brought to their notice from other provinces. Do you also suggest that the Local Government should have the option of not adopting the reforms suggested by the Indian Government?—It should have discretion to adopt or not to adopt them.

29887. Taking the instance of some large reforms which have been effected within the last thirty years, such as the Local Self-Government Act which was suggested by the Imperial Government: should not the Local Governments be bound to accept those suggestions and to carry out those reforms?—Certainly, but I have made these suggestions on the hypothesis that my recommendation regarding the reconstitution of the provincial Governments would be accepted.

29888. Generally, you say that under the existing circumstances suggestions made by the Imperial Government for reforms and other changes in administration ought to be accepted by the provincial Government?—Yes, certainly.

29889. You propose that both the Board of Revenue and the Divisional Commissioners should be abolished; is that also subject to the conditions you have laid down as to the reconstitution of the Government?—Yes.

29890. Otherwise you would keep both those bodies?—No, I do not see the necessity for keeping up the Commissioners; I would do away with the Commissioners, and do away with the Board of Revenue, if it is not to be incorporated with the Council of the Lieutenant-Governor.

29891. Supposing we had the Lieutenant-Governor and an Executive Council, in that case would you keep up the Commissioners and the Board of Revenue?—If I had to keep up one of the two, I would keep up the Board of Revenue rather than the Commissioners.

29892. Do not Commissioners of divisions perform a very useful function now in personally visiting and inspecting the different districts and coming into contact with the officers and people of the districts?—The advantages are so great that they should not be sacrificed to any other arrangements.

29893. Rent and revenue cases are all now disposed of by Revenue Officers?—Yes.

29894. Might either the rent cases or the revenue cases be transferred to Civil Courts?—Both might be tranferred. The rent cases should go to the Civil Courts; as appeals from the Collectors go to the District Judge, so should these cases go to the Appellate Court. Revenue cases also should go to a District Judge or an Additional District Judge. His powers might be enlarged, but you would have a better chance of a more judicial decision.

29895. The original revenue cases you would leave to the Revenue Officers and the appeal cases you would leave to the Civil Courts?—Yes.

29896. Is it desirable and possible now to create panchayats and entrust them with some duties?—It is quite possible and very desirable.

29897. Should an officer be especially appointed to organise these village communities in advanced places?—It would be an excellent thing to do.

29898. That would be a good method of improving the present administration?—Yes, not only that, but it would probably be the best method of promoting the happiness of the people. For instance, in the matter of sanitation, the Government have had the Village Sanitation Act for many years in existence but not much progress has been made. So also in education; and also in the disposal of small cases. If a village panchayat is constituted it should be an entirely popular body without any official influence. In all these matters the influence of the village panchayat will be very perceptible and very beneficial.

29899. You think they would be able to look after their interests in these small matters better than any central Government could do?—Certainly.

29900. (*Mr. Hichens.*) The main thing you want in regard to municipalities is to have a non-official Chairman?—That is the first thing. We also desire to be free from the control of the Commissioner. There are also certain restrictions imposed on the Municipal Boards in the matter of taxation. For instance, we cannot alter the particular head of taxation without reference to the Local Government. If we want to tax one commodity rather than another we must get sanction. That hampers the Board very much. That

restriction should be removed, and, given a certain limit of taxation, the Board should be left free to decide what particular commodities they would tax.

29901. You would not be affected by the consideration that this was without precedent anywhere in the rest of the world?—I find in actual practice that this is a thing which affects municipal administration seriously, and that it is desirable that representatives of the people on the Local Councils should be recognised as being better able to understand the wishes of the people than men at a distance.

29902. Do you think they understand the wishes of the people to-day?—Their representatives on the Boards certainly do to a great extent.

29903. Are they elected?—Yes, the majority are elected.

29904. Apart from that, would you leave the Government with the control practically that it has under the Act to-day?—Yes; for the rest I would leave the control to the Government. The Government has power under the present Act, even when municipalities elect their own Chairman, to approve or not of the election of the Chairman; that is provided for by the Act. I would leave that power to the Government.

29905. Would you leave them power to approve the budget?—The budget is passed by the Commissioner; I would take away that power. I would leave it to the Board to spend the money as they think best.

29906. Would you leave the Government power to step in if they found a mess was being made of it?—Yes, I would leave all the other powers as they are; the District Magistrate has power to suspend any regulation of the municipality where he believes that public interests require it.

29907. For example, if the Government thought that too little was being spent by the municipality on education, would you give them the power to step in and say, "You must spend more"?—No, I think not. They have the power to advise, and I think they should trust to the Board to accept that advice so far as circumstances admit. It would take away the element of self-government if you give the Government the power you suggest.

29908. You would leave the Government full power to enquire what the municipalities did so as to see that they were carrying out not only the letter but the spirit of the law?—Yes, the proceedings would be sent up to the District Magistrate and the Government.

29909. The accounts would be audited?—Yes, by Government auditors.

29910. With regard to District Boards, would you give them much the same freedom?—Yes, quite as much; at present they have not got quite as much; I would introduce as much as possible to begin with. There are certain reforms needed in the constitution of the District Boards. They are not quite elective. The Collector has a list of members prepared, and those people elect the Board. I would give the power to elect to every man who pays a certain amount of revenue or rent or income-tax. I would have no more of selection of the persons who should exercise the franchise.

29911. Are the people in the districts as capable of forming a definite opinion with regard to public affairs as the people in towns; in other words, are they as well educated?—The people in the districts are many of them very well educated either through Sanskrit or through Persian or otherwise.

29912. Speaking broadly, comparing the town with the country, would you say the country was able to form a strong public opinion with regard to matters?—Yes, I think so.

29913. You were here this morning and you no doubt heard several of the witnesses express the contrary view?—Yes. I will give you my reasons for what I say; in the districts you have great zamindars and other gentlemen, bankers and other persons. The towns contain only a fraction of the population of the province; it is in the districts that the greatest proportion of the population live; among them you find men of ancient families, zamindars, and so on, and they develop their business capacity in the management of their own affairs; so that when public affairs are brought fairly before them they are very well able to express their opinion about them. What is needed is that they should be given more power and more freedom.

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29914. Are the Municipal Commissioners and the people in the towns really keen on municipal work?—Yes, in many places they are.

29915. For instance, take a drainage scheme—is that a matter upon which you can arouse their own interest?—Very much.

29916. They are anxious to see that their town is improved?—Of course, a general remark cannot be made for the whole province, but in many places they are. They would be very glad to have the money to spend and the power to spend it.

29917. Would you say that public spirit has developed during recent years?—Yes: during the last fifteen or twenty years.

29918. Has your municipality enough funds to carry out a reasonable number of improvements each year?—Ordinary improvements we can carry out; we have a project before the Municipal Board of Allahabad for an open surface drainage; it was laid before a sub-committee the other day and before the Board; the great majority of the members were oppcsed to having an open drainage; they wanted a covered drainage though it would cost more. Everyone who spoke to me told me he would rather spend a few lakhs more and have the covered drainage rather than the open drainage.

29919. (*Mr. Meyer.*) Are all the increased legislative and financial powers that you propose to put on the Local Government contingent on their control by a Legislative Council?—Yes.

29920. And without that you do not want to decentralize?—Generally speaking, it comes to that.

29921. Generally speaking, you think that the control of the Government of India should be retained as it is, and also the control of the Local Government over its own officers?—Yes; the character of the Local Government would be changed by the suggestions that I have made.

29922. Suppose you could not get your scheme and you had to work with the present administrative machinery, you would not give extra powers to anybody really?—Generally speaking, I would not.

29923. If you carried out your idea of abolishing the Board of Revenue and Commissioners, you would of necessity have to give larger powers to Collectors?—Not necessarily to Collectors. I have proposed a District Administrative Council which would assist the Collector in many matters which he deals with at present alone. If that is accepted, then he would enjoy increased powers along with others; not otherwise.

29924. Is it the fact that according to your Municipal law you have got to get the approval of Government to the establishment of Ward Committees?—No, as far as I know it is not.

29925. Is there any restriction on the appointment of Municipal Committees to deal with sanitation or education or anything else?—I think not. We appoint sub-committees for education, and so on; we have certain sub-committees appointed every year, and we appoint others when occasion arises.

(*The witness withdrew.*)

The Hon'ble Rai Sundar Lal Bahadur, C.I.E., was called and examined.

29926. (*Chairman.*) You are a member of the Legislative Council?—Yes. I am an Advocate of the High Court.

Money is borrowed both in England and India by the Government of India, which has a well-established credit. It is undesirable for Local Governments to raise loans within or outside India.

At present provincial Governments cannot create new appointments or enhance salaries of appointments carrying over Rs. 250 a month without the sanction of the Government of India. The result is that, if the Local Government finds it necessary to appoint an additional Munsif of any but the last grade, or a Subordinate Judge or a Deputy Collector to work off

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arrears in any particular district, it has to move the Government of India to sanction its proposals. In the case of appointments reserved for Europeans the present rule may be allowed to stand, but in the case of all other appointments the limit should be increased to Rs. 500.

I think the influence of the departments of the Government of India is in the direction of excessive rigidity or uniformity. As an instance I mention the recent legislation in connection with the reform of the Indian Universities under Act VIII of 1904.

The proper sphere of work of the Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments should be that of experts to advise the Government of India. They should have no direct control over the departments under the Local Governments. Provincial Governments should be permitted to develop their administration on their own lines adopting or not, at their discretion, suggestions for reform brought to their notice from other provinces. They should have the help and assistance of an Executive Council, and it should consult the Provincial Advisory Council and the non-official Members of the Legislative Council and other persons or bodies interested in the particular department, *e.g.*, ine ducational matters the University, in judicial and legislative matters the High Courts, and the leading members of the Bar, &c. If non-official gentlemen of experience and mature views are more largely taken into confidence in the decision of such matters, the provincial Governments will be able to form a better estimate of the needs and requirements of their province.

The right of appeal should not be curtailed, nor should a certificate of its admissibility be required to accompany an appeal. The system of requiring such certificate from the authority against whose decision it is proposed to appeal has not found favour in India.

I would propose no change in the powers now conferred upon Collectors, Deputy Commissioners, or Sub-Divisional Officers. In the administrative system of these provinces the Board of Revenue and the Commissioners exercise concurrent jurisdiction in many matters, in this sense that the Commissioner either decides a matter himself subject to the general control of the appellate or revisional jurisdiction of the Board of Revenue, or he has to submit a report or recommendation for the orders of the Board of Revenue. The Commissioner is the channel through which many matters are thus submitted to the Board of Revenue for decision. The judicial powers of Commissioners in rent and revenue cases should be transferred to the District Judge. He should have appellate and revisional powers in partition cases and in appeals from orders of Settlement Officers, and his services should be more largely utilized by entrusting him with larger general administrative powers. An Executive Council should be formed to help the Lieutenant-Governor, and the members of the Board of Revenue should be members of that Council, each member being placed in charge of a department. It should be something on the lines of the system of administration now prevailing in the Bombay Presidency.

The influence of the provincial Government is in the direction of rigidity and uniformity, but as the population in the various districts in the Government of the United Provinces is of a more homogeneous character than in the various other provinces, and as the Local Government is in more direct touch, its influence in this direction is not felt very much and no measures or reforms are needed in this respect.

Executive Officers have sufficient opportunities for personal contact with the people. They are not as much in contact with the people as they ought to be. European officers in the districts, small as their number is, form their own society and do not socially mix with the people except to a very limited extent. There is not the same interchange of views between a European Collector of a district and his Indian Subordinate Magistrates and other Indian officers as there is between him and his European subordinates. The obstacles to a freer intercourse are many. There is a sense of official dignity and prestige which prevents many officers from mixing more freely with the people. The upper layer of the Indian society in the *mufassal* may be roughly divided into three classes, viz. :—

(*i*) those who would care to mix with the European officers only on terms of social equality, such as the leading gentlemen of the professional classes, men who have been educated in England, successful merchants, and capitalists, &c. ;

(*ii*) those who call on the officers more or less frequently for paying visits of ceremony, courtesy to the Head of the district ;

(*iii*) those whose official position as members of Municipal and District Boards, or as landlords, &c., necessitates a visit to the officers.

All that is needed is a greater tendency on the part of European officers to throw off official reserve and sense of dignity and prestige, and a larger concession to the sentiments and susceptibilities of visitors of all classes. The difference is to be seen in the freedom with which a retired Civilian settled in India meets and talks with the people. The pressure of the official work in most cases does not leave much time for such intercourse. Both the time and the will to meet the people more largely is necessary.

Executive Officers possess a sufficient knowledge of the vernaculars.

An increase in the staff is needed in many districts. One method of relieving the District Officers would be to transfer all rent and revenue cases (except partition and settlement cases and certain other special class of cases) to the Civil Courts as in Bengal.

Greater care is certainly required in the section of Collectors of the districts. At present very junior officers have to be placed in charge of the districts at times.

The municipalities and District Boards have already ample powers, but the preponderating influence which the Collector and other officers practically exercise is very great. In the municipal towns (specially in the case of the larger ones) there is a large body of men who take a keen interest in their work and who can very safely be entrusted with larger powers. Municipal Boards will attract a much better class of persons to serve as members if there is less of official influence and if a non-official Chairman presides over the deliberations. The system of election to the District Boards is defective. All landholders paying a certain amount as Government revenue, and all persons paying a certain amount as income-tax or a certain amount as rent, should have the franchise, and not selected persons only nominated by the Collector (as at present).

There are no Local Boards or village unions in these provinces. We have the village *mukhia* or headman, and the village munsif (the latter in certain districts only). Villages should be formed into circles. The leading landholders who are by their education qualified, should be invested with the powers of village munsifs. They should sit in benches to dispose of petty civil cases, and even petty criminal cases, subject to the jurisdiction and control of regular courts ; and the members of these courts and the village *mukhias* should be formed into village councils, and placed in charge of village sanitation and other cognate local matters.

The creation of Advisory and Administrative Councils to assist Divisional or District Officers will be a great help. These officers are a highly-educated and well-trained class of persons, and it is only by putting Indians of education and experience that the Councils will be really in a position to help these officers and discuss matters on less unequal terms. If the membership of the Councils is confined to persons possessing large properties or incomes, it will prove more ornamental than useful. The Councils should be constituted partly by nomination and partly by election. The existing District Boards and municipalities might be permitted to elect some of the members. The professions might be permitted to elect some, and the educated community should also elect a member. Franchise might be given to graduates of a certain standing. The non-official Europeans, wherever their number is sufficiently large, as in Allahabad, Cawnpore, and Lucknow, might be given a seat. The elective seats should not be less than half the total number of seats. The Commissioner has the power to veto any District Board or Municipal resolution. Cases of this class should be brought before the Council and any measure in favour of which at least three-fourths of the members of the Council vote should not be vetoed by the Commissioner unless the Local Government for special reasons decides to the contrary. The Councils should be consulted in all administrative matters arising within the district.

29927. Do you agree with the last witness, who would like to see the post of Commissioner abolished altogether?—No. Commissioners are a necessary part of the machinery of Government. They have to supervise the administration of the districts in their division. The Board of Revenue should be abolished and the members should be made into a Council for the Lieutenant-Governor; we require somebody between the Lieutenant-Governor and his Council and his Collectors.

29928. Suppose the change takes place which you advocate, would you increase the powers of the Commissioners?—To a certain extent.

29929. In relation to Court of Wards?—Yes, and in other departments of administration.

29930. Would you increase the powers of all the Executive Officers down to the tahsildar?—No, I should stop at the Commissioner.

29931. You would not see powers delegated from the Commissioner to the Collectors?—No, I think not. At present the Collectors have a great deal to do, and I do not think we can safely give more work to them than they have at present.

29932. Is your objection to the increased power to the Collectors one that depends on the amount of work that they have to do, or upon the amount of responsibility which they are capable of assuming?—On both considerations, and on a third one, namely that there should be a certain amount of uniformity in the division.

29933. But if all Collectors were given the same amount of responsibility you would get that uniformity?—We should, but not the uniformity of practice; they might decide differently on the application of the powers.

29934. Even within their present powers they might decide differently. You could never prevent that?—Except by the control of the Commisssioner or of a higher officer? In fact, the greater the powers the greater the room for diversity of opinion.

29935. Are the obstacles to agreeable intercourse between the officials of the district and the people insurmountable?—I think not, except for the fact that, while the officers have got the will in the majority of cases to meet the people, in a minority of cases they have not got even the will.

29936. In the majority of cases they have the will and exercise it?—Yes, many of them do.

29937. It is only with the minority that there is friction?—There is no friction, but there is no cordiality; I should not say that in the case of the minority, but it is so in a very large proportion of cases.

29938. Does that extend not merely to British officials, but to Indian officials?—Slightly to Indian officials, not to the same extent.

29939. Is it attributable to the position which the man occupies?—To a certain extent.

29940. You say that it is desirable to remove it; can you suggest a practical remedy?—It is very difficult to say how to remedy a matter of that kind; it entirely depends upon the feelings of the individual officer.

29941. It depends so much upon that that no rule can be laid down or suggestion made?—That is so.

29942. Have you been a member of a municipality or District Board?—No.

29943. Would you agree with the last witness that it is possible and desirable to revive the village panchayat?—Yes.

29944. Would you give them much authority at first?—No; it should be an elastic institution; it should grow up. You would make an experiment here and an experiment there?—Yes.

29945. You think that it is desirable to get rid of official connection between the Collector and the District Board?—No, not completely; there should be some official connection between the two as they are at present constituted.

29946. Would you sever the Collector from the Chairmanship of the Board?—That would be my object; I would do it experimentally and slowly.

29947. And in the case of the municipalities?—More rapidly, I think.

29948. Would you make a beginning at once?—Yes.

29949. Would you get people to take the place of the Collector on the District Board and Municipal Board, who would attend to the work?—Yes, in most large municipal towns we should be able to get them.

29950. Would you have to pay a Chairman in the large municipal towns?—I think not; it would be honorary.

29951. It is hard work?—Yes; but many members of the municipality even now do as much work as that. For example, the senior Vice-Chairman in the Allahabad municipality has to pass orders upon a number of papers every day; he has a very heavy file: that is very much the amount of work that the Chairman has to do.

29952. You would have to find, in addition to the gentlemen who do the two Vice-Chairmen's work, a Chairman in Allahabad; do you think you could get that?—I think so in the case of large municipalities.

29953. Not in small *mufassal* municipalities?—Not at present.

29954. In the district would you get gentlemen to undertake that task?—It would be more difficult to get them in the district than in the larger towns.

29955. Are you in favour of Advisory Councils?—Yes. I would begin with a very small number.

29956. Again, would you find people capable of taking up the work?—I think so; a small number.

29957. (*Sir Frederic Lely.*) Essentially you desire for a new departure in municipalities, a non-official Chairman?—That is very essential.

29958. That is far more important than anything else?—Yes.

29959. Have you any other special proposal that you would make for reforming the municipality?—No, I have not made any proposal, because I am not a member of a Municipal Board myself.

29960. But you are a very interested observer?—Yes, I have known a number of municipal commissioners and have lived in a municipality for years.

29961. You say you would not remove the District Board from control and influence; would you retain the Collector as President of the District Board?—For the present.

29962. Have you any other distinct proposals to make for the District Board?—The powers vested by law in them at present are ample.

29963. You propose to change the system of election; is that your main suggestion for the District Boards?—Yes.

29964. You would have your Advisory Council partly nominated and partly elected; but that is precisely the situation of the District Board at present?—Yes; three-fourths are elected; one-fourth are nominated.

29965. So that practically your Advisory Council would be a duplicate of the District Board?—The functions would be quite different.

29966. But in what way will the situation be different?—The District Boards have finally to decide certain matters and they pass orders which they are authorised to make by law; the other body would be simply advisory.

29967. You propose different duties, but the mode of election in each case will be virtually the same, so that you will get a Council of the same class of men as the Board?—There is this difference in the election. In the case of District Boards the election will be by gentlemen who pay a certain amount as land revenue, or a certain amount as taxes, or who have certain qualifications. The election of the Advisory Council will be by the Boards so constituted.

29968. The members of the Advisory Council will be elected by the District Boards?—By the District Boards, the Municipal Councils, and other corporations and bodies.

29969. (*Mr. Dutt.*) What is your opinion about the Board of Revenue? Would you retain it if you had the Lieutenant-Governor assisted by an Executive Council?—No, I think they will not be necessary.

29970. Do you propose that the two members of the Board of Revenue should be colleagues of the Lieutenant-Governor and Members of his Executive Council?—Yes.

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29971. And that they should hold different portfolios as they do in Madras and Bombay?—Yes.

29972. Should Sub-Divisional Officers generally be stationed within their own sub-divisions, or should they remain within the headquarters of the district as they do at present?—In the case of most districts they should remain within the headquarters of the district.

29973. But where the districts are very large?—There they might be stationed inside their own sub-divisions.

29974. That would prevent the people having to travel long distances to get to them?—Yes.

29975. At present the Deputy and Assistant Collectors are placed in charge of sub-divisions by an order of the District Officer. Should that continue or when they are placed in charge of a sub-division should that be notified as a Government Order in the Gazette?—It is not necessary to notify it.

29976. The present system answers pretty well?—Yes, it is more elastic in fact.

29977. At present all rent cases and revenue cases are tried by Revenue Officers. In your opinion who should try original rent cases?—The Civil Courts, as was the practice here up to 1873, and as they are tried even now in Bengal.

29978. Original revenue cases too should be tried by Civil Courts, not by Revenue Officers?—There are practically only three or four kinds of cases; for example, partition cases might be tried by the Revenue Officers.

29979. Would you make a sort of division and say some revenue cases ought to be tried by Revenue Officers and some by the Civil Courts?—Yes, the principle being that those which require an intimate knowledge of revenue matters might be left to the Revenue Officers, and those which require the trial of issues as in a civil case should go to the Civil Courts.

29980. Does the law permit a non-official to be elected Chairman of a District Board or municipality?—It does.

29981. When you say that you would like to see non-official Chairmen for District Boards, do you mean that you want to see the experiment tried only gradually in places where there are men fitted to take up those duties?—Certainly.

29982. And with regard to municipalities?—So far as municipalities are concerned there is no restriction in the Act itself, but the Local Government is authorised to define and lay down the conditions for election. It is those conditions which make it necessary to elect an official Chairman in first-class municipalities; they should be relaxed in the case of first-class municipalities. Those rules in themselves are elastic; they can be altered again.

29983. There also you would like to see it tried gradually?—Yes.

29984. For your Advisory Councils do you propose limited number of members?—A limited number.

29985. You say "Advisory Councils and Administrative Councils." What kind of administrative duties could be referred to them?—It must be by a slow process of evolution, not by revolution.

29986. If there are certain minor duties which the Collector thinks can be disposed of by the Councils, he should refer the matter to them?—Exactly.

29987. You are in favour of the creation of village panchayats; would you also like to see that experiment tried gradually?—Yes.

29988. Would you favour the employment of a special officer to organize such panchayats in places where the conditions are especially favourable?—Yes, my own impression is that the officer who is Registrar of the co-operative village banks and has assistants might be given authority to bring these things into existence; you do not want a separate officer at present.

29989. Would you give the panchayats small criminal powers?—Yes, I would give them the powers now given to village munsifs, namely power to try suits up to Rs. 20. Every party has a right, if he does not like the village munsif, to get a transfer of the suit to the regular munsif; with that safeguard it might be applied here.

29990. (*Mr. Hichens.*) You say the Collector dominates his municipality and District Board too much; might he not dominate his Advisory Council still more?—Yes. There is that danger.

29991. And if he did, possibly you would be better off with no Advisory Council at all?—I think education is advancing, and that the exercise of domination is becoming less and less.

29992. In that case might not the Collector remain Chairman of the District Board?—There would be more friction later on; it is better to let the Boards be free without an official Chairman.

29993. What are your reasons for desiring an Executive Council?—The Lieutenant-Governor will have the advice and assistance of these persons; in the first place, he will be bound to consult them and they will exercise a sort of check upon his own ideas upon any particular matter; there will be more uniformity of action.

29994. The first point is uniformity of action and the second point is that two heads are wiser than one?—Certainly.. The Lieutenant-Governor goes away every five years; the Councillors may remain longer; there will be continuity of policy.

29995. Would you say that there is an advantage in having more than one point of view represented on the Governor's Council?—Certainly.

29996. (*Mr. Meyer.*) Do you propose to admit a right of appeal from the decisions of Benches of Honorary Village Munsifs such as you suggest?—A full right of appeal exists now no questions of law. I do not propose any change at all.

29997. Is it often used?—Very seldom, but the fact that there is a right of appeal exercises a very wholesome influence. These are small cases under Rs. 20, and it is a very rare thing to have an appeal, but the right ought to be preserved.

29998. Would you like to extend the present limit of Rs. 20?—Gradually I would extend it; as experience is gained it might be extended to suits up to Rs. 500 in value.

29999. You do not think that the unrestricted right of appeal will eventually break up these Courts?—I think not; there is no indication of that yet.

30000. (*Sir Steyning Edgerley.*) What is the population of Allahabad?—One lakh and sixty thousand approximately.

30001. Is there a large municipal establishment?—Yes.

30002. If you had non-official Chairmen, how could they arrange for the executive control of the establishment?—The Collector is now the Head of the whole thing, the engineers and the tax-collectors and everything.

30003. Where is the actual controlling Head in the municipality of the executive establishment?—The Collector is in charge.

30004. But not in details; in details who is in charge?—For example in the water works we have the engineer in charge.

30005. Have you a separate sanitary establishment?—There is a separate Health Officer in charge of that.

30006. You think that that would not be too much for a non-official Chairman to give his time to?—I do not think it would be too much.

30007. As regards the retransfer of rent cases to Civil Courts, would not such a system very much increase the cost to the cultivators?—No; the cost is just the same as in the Revenue Court; the cultivator has to pay the same court fees everywhere.

30008. But is it not necessary to be rather more expensively represented in the higher courts than in the Munsif's Court?—Most of these cases would be Munsif's cases and you would have the same class of small pleaders as now appear before the Munsif's Court.

30009. In appellate cases would not the cost be much heavier?—No. In most of these cases even now there is an appeal to the Civil Courts. Most of the cases between the zamindar and the cultivator are decided *ex parte*; they are not contested cases; it is a mere matter of obtaining a decree; the bulk of them are of that character.

(*The witness withdrew.*)

Pandit GOKARAN NATH MISRA was called and examined.

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30010. (*Chairman.*) You are a *vakil* of the High Court?—Yes. I have been a municipal Commissioner for four years.

I urge the necessity for decentralization, and of broadening the basis of Government so as to allow of the people being treated with greater confidence and being associated more with the administration of the country, along with the delegation of greater powers to provincial Governments as well as authorities subordinate thereto.

Provincial Governments should be given larger financial powers and should be more liberally treated in regard to allotments. The system of provincial contracts should be settled once for all, thereby making imperial and provincial finances more independent of each other and giving Local Governments a permanent interest in their revenues. They should contribute to the imperial exchequer only a portion of the land revenues, and such sources of revenue as stamps and court fees should be reserved for the provinces.

Provincial Governments should be allowed entire freedom in forming their own budgets in regard to details. Along with these increased powers and freedom the people should have a voice in controlling public expenditure, by the expansion of the Legislative Councils and the enlargement of their functions.

Provincial Governments should not be allowed borrowing powers except for productive works, and even with regard to these a limit should be fixed. This borrowing power also should be subject to popular control through the Legislative Councils.

Administration should be made more elastic by Local Governments being given powers to deviate from the general line of policy laid down by the Government of India as required by local conditions. Such deviations should only be allowed in matters of public utility, *e.g.* education, sanitation, &c. Similar deviations should be allowed within the limits of each province so that backward districts, for instance, could receive more attention. Reforms effected by one provincial Government should, however, be communicated to other Governments for consideration. These deviations should be in consonance with public opinion as declared by the proposed Advisory Councils.

The Government of India and Local Governments regard the administration too much from the point of view of revenue. The land revenue settlements should be on a more permanent and liberal basis, the poverty to which agriculturists in the United Provinces have sunk being mainly attributable to the present system. During revisions the people feel that enhancement is the rule and reduction the exception: when it comes to the collection of revenue, the main effort of all officers from Collectors downwards is to collect it in time: Collectors who show increased figures are considered strong and efficient, while the efficiency of tahsildars and naibs is solely judged thereby. In matters of irrigation the same considerations of revenue prevail. The salt duty is the most objectionable source of revenue, and the delay in its abolition can only be attributed to undue considerations of revenue. Regarding income-tax, the practice of using confidential notes is objectionable. Also the fact that, in spite of the taxable minimum having been raised, the amount of revenue shows no appreciable decrease, indicates the same excessive regard for revenue. In the matter of excise, officers have gone so far as to use their official influence in raising the bids for grog shops: public opinion as to the location of which is disregarded in view of considerations of revenue.

Freedom of appeal inspires confidence and aids administration and good government: rather than curtail the right, facilities for appeal, either personally or through a pleader, should be increased. Documents and reports used against a person appealing should be accessible to him and not confidential. Even Local Governments should not be allowed power to withhold appeals. No certificate of reasonableness should be required to accompany an appeal, because of the difficulty there would be in obtaining it.

In times of scarcity and drought larger powers in connection with the remission and suspension of revenue should be given in the small area within the jurisdiction of each authority to the various executive officers as below:—

——	Remission.	Suspension.	Postponement.
Board of Revenue	4 annas	8 annas	Whole (6 months).
Commissioner	2 do.	4 do.	8 annas do.
Collector or Deputy Commissioner	1 anna	2 do.	4 do. do.
Sub-Divisional Officer	Nil	Nil	4 do. (1 month).

In the case of Sub-Divisional Officers, postponement should be allowed only in the case of May and November instalments and then only for a month.

The authorities subordinate to Local Governments need no further powers under this head. The Board of Revenue should be abolished because the Board of Revenue and Commissioners practically traverse the same ground; and the Board as constituted at present are merely means of focussing official opinion and are quite out of touch with the people.

Important administrative matters at present entrusted to the Board might be taken up by the Local Government and Secretariat and the remainder delegated to Commissioners and Collectors. In matters purely revenue the right of appeal to the Board might safely be done away with, the decisions of Commissioners being final. In matters relating to partition, however, a further appeal to the High Court or the Judicial Commissioner may be allowed as in most of these cases Commissioners are only the Courts of First Appeal.

If the Board of Revenue is abolished most of its powers (which under this head require no extension) should be delegated to Commissioners. The power to bring private estates under the management of the Court of Wards—at present rather overdone—should be sparingly used. Colletors should be allowed larger powers in connection with ward's personal expenses. Generally the administration of the Court of Wards is unpopular. A separate Court of Wards Service should be organized for the United Provinces, and Deputy Collectors should invariably be deputed as managers of Court of Wards estates.

Collectors should have power to fill vacancies in posts up to Rs. 100 *per mensem*, to enable them to recognize merit and efficiency; and to make temporary new appointments up to a limit of Rs. 30 *per mensem*, to enable them to remove congestion of work. Collectors should also be given powers up to Rs. 1,000, to effect alterations or additions to office buildings.

To enable Collectors to obtain an intimate knowledge of the people they should be relieved of case work, both criminal and rent, which should be almost entirely delegated to Sub-Divisional Officers and others; and of office work, &c., by one of the Deputy Collectors being made personal assistant to the Collector.

A number of Deputy Collectors in each district should be set aside to do criminal work alone, directly under the Sessions Judge, the remainder being left free for revenue and executive work. The number of Deputy Collectors should be increased and their emoluments improved, the pay of the last grade being raised from Rs. 250 to Rs. 300 and that of the Probationary Deputy Collectors from Rs. 100 to Rs. 200; and the present system of nomination should be changed for one of limited competition.

Tahsildars should be relieved of their judicial and rent work, which should be made over to Sub-Divisional Officers and Munsifs; and the collection

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of revenue should be delegated to naib-tahsildars, who should be given definite powers and responsibilities. To improve the *morale* of the lower Executive Service it should be remodelled and regarded as follows :—

——	3rd grade.	2nd grade.	1st grade.
	Rs.	Rs.	Rs.
Tahsildars	200	225	250
Naib-Tahsildars ...	100	125	150

Tahsildars should also be made Gazetted Officers.

District Superintendents of Police are even more out of touch with the people than District Officers are, to remedy which more Indians should be appointed Superintendents and the number of Deputy Superintendents should be increased, so that there should be at least one such officer in each district. A number of Civilians should always be on the list of Superintendents ; while as regards the lower ranks chaukidars should be better paid, their pay being raised from Rs. 3 per mensem to Rs. 5.

In view of the increased powers proposed for Collector and Commissioner, selection for those posts should be by merit rather than seniority, and officers unfit for promotion should be retired on a proportionate pension.

In order to ensure proper working of both Executive and Judicial lines, each Civilian for the first five years should be given a general training, after which he should be assigned to one of these lines and kept to it. Civilians should not be allowed to officiate as Judge or Collector till after ten years' service, and not be made permanent with less than fifteen years' service and proved merit.

A post should ordinarily be held for five years ; the local arrangement system for filling leave vacancies should be increased from six weeks to six months ; while furlough and leave for a longer period than that should be discouraged unless the officer has almost completed his five years' term.

Officials are proud and isolated, have exaggerated notions of prestige, are distrustful of Indians, and do not exercise discrimination between various classes of visitors, to whom they are anything but courteous. On the other hand, Indians have become more sensitive. Indian visitors should be considerately received, and return visits should be paid to higher class Indians : young Civilians should particularly be taught to be polite and courteous towards Indians. Want of knowledge of ways and manners of the Indians cannot be removed by mere handbooks : frequent contact with the people is necessary—in social gatherings &c. Respectable and educated Indians should be admitted in European clubs : and British officers in turn should join good Indian clubs. Officers should in every way make themseives more accessible. While on tours officers should spend part of their time in talking to the zamindars and in making personal enquiries in villages. Notice of dates and places of camping should be sent round beforehand and full liberty should be given to the people to represent their views. The system of *rasad* and *begar* is a source of grievance. In connection with tours, periodical gatherings of the landowning classes, &c., should be convened with a view to the removal of grievances.

Regarding languages the knowledge of officers is anything but satisfactory : there should be a stricter examination (both in Urdu and Hindi), which should be conducted by a Board of Examiners consisting mostly of Indians ; and confirmation as Collector and Judge should be made conditional on passing it.

District municipalities are at present almost entirely in the hands of District Officers, who are invariably their *ex officio* Chairmen. In order to infuse a real spirit of local self-government into the people they should be freed from official control and given power to elect their own non-official Chairmen and Secretaries. The power of veto should rest only with the Local Government—the only reason why there is no friction under the present system being that the *ex officio* Chairman always consults higher authorities in advance.

Municipal Boards should also have larger powers to provide for occasional and emergent expenditure : *e.g.*, to grant an annuity other than by purchasing it from the Post Office or an insurance company ; to grant rewards for acts of bravery, &c., and certain sources of revenue, such as income-tax, *nazul*, and excise, should be transferred to them. The functions of Municipal Boards should also be extended over such matters as the town police and excise.

District Boards are subject to the official influence of the tahsildar even in the election of their members ; while in their case it is still more necessary that they should have a non-official Chairman since the members, who are mostly zamindars, cannot express themselves freely before the District Officer.

Lastly, smaller municipalities should be controlled, not by District Boards, but by district municipalities, who might infuse their own spirit into them.

The creation of Advisory Councils is extremely desirable. The number of members should ordinarily (except in the case of big cities) not exceed 20, two-thirds elected and one-third nominated. Class representation should be avoided. An income of, say, Rs. 500 annually (or in the case of the landed classes, the payment of Rs. 300 revenue) should qualify for a vote ; and an income of Rs. 1,500 (or payment of Rs. 1,000 revenue) should make a man eligible for a seat on the Council. Members should reside within the district and voters within the electorate : members should be able to read and write either Urdu or Hindi thoroughly. Election should take place every third year, and the appointment of members should be gazetted.

The functions of Advisory Councils should be chiefly recommendatory. They should be consulted on matters appertaining to agriculture and revenue, such as the remission and suspension of revenue, revision of settlement rates, irrigation ; plague and famine ; excise—location of grog shops ; education—opening and location of schools ; industrial matters—revival of old industries ; imparting of technical education ; assessment of income-tax ; new roads and bridges ; proposed measures of legislation or reform, and any other important matter affecting the administration of the district, including the conduct of the police. In certain matters—like excise, income-tax, education, plague, and famine—the recommendations of the Council should be binding on the Collector unless vetoed by the Local Government. In other matters the Collector, if differing, might act on his own responsibility ; but the Councils should have power to represent the matter to higher authorities. In order that a recommendation may be binding on the Collector it must be made by a majority of at least two-thirds of the members present at the meeting. The *quorum* should be one-half of the total number of the members on the Council. The Councils should meet at least once a quarter ; should have power to meet on their own motion ; and attendance should be compulsory. There should be Councils both for Commissioners and Collectors but not for Sub-Divisional Officers. Commissioners and Collectors might take part in meetings, but not as members ; and should adopt a sympathetic attitude, on which the success of the scheme depends.

The establishment of village panchayats is extremely desirable. To ensure their success the best men in the village should be selected, and at first the scheme should be introduced only in selected villages or groups of villages. The panchayats should be empowered to decide civil cases up to Rs. 50 and petty criminal cases such as are tried by Third Class Magistrates with one appeal only—to District or Subordinate Judge and to the Sub-Divisional Officer respectively. Agricultural matters (*takavi*, irrigation, pasture lands, grazing fields) should be entrusted to them ; they should advise regarding sanitation and excise and have powers of supervision and some control over village schools and police. They should sit as a Bench of not less than two members, and a full record of proceedings should be kept. To encourage resort to panchayats no court fees should be levied in cases before them. Their establishment would mean the abolition of village munsifs, whose working has been found unsatisfactory. No further taxation should be levied to carry on the work of the panchayats, on account of the unpopularity which would be caused : a small share of the revenues should be set apart for the purpose.

30011. You wish to see the Board of Revenue abolished, but the powers of the Commissioners and Collectors to be proportionately increased, in particular

in the case of Court of Wards and in revenue jurisdiction ?—Yes ; also in matters relating to revenue. Where questions of remission or suspension or other matters are involved and the point is to what amount the Government revenue should be remitted or suspended, the matter has to be referred to the Local Government, so that in case the Board of Revenue is abolished a corresponding increase in power will have to be given to the Commissioners and Collectors.

30012. Do you think that the class of naib-tahsildars as at present recruited is a good class ?—It is not a very good class. The pay is very low, and the least pay should begin from Rs. 100, and I would go up by increases of Rs. 25, creating three grades, one of Rs. 100, one of Rs. 125, and one of Rs. 150. At present graduates do not like to come in because they have to begin at Rs. 50 only.

30013. Is the class of naib-tahsildar at present a good class ?—During the last ten years there has been a tendency to recruit the naib-tahsildars from the graduates, and the class of naib-tahsildar is now more efficient and of superior merit than it used to be, but taking the class, as a whole, it is not yet as efficient as it ought to be.

30014. Should these powers of delegation that you suggest to the naib-tahsildars be given to all officers of that class and at once ?—They should be given at once, but they should not be given to the whole class unless the system of recruitment I have suggested is adopted.

30015. Should tahsildars, too, be given some considerable extension of powers ?—Yes. From my experience, I think, that in matters of revenue, undoubtedly, a greater discretion should be given to tahsildars ; they are on the spot and can see how matters are running, and unless you give them a little more power than they at present possess relief will not come to the people according to the necessity of the occasion. Gradually, if you recruit the naib-tahsildars from a better class of people, and they are promoted to tahsildars, then these powers which I have proposed to delegate should be very useful.

30016. If there were a class of naib-tahsildar recruited as you suggest, would you be in favour of divisional recruitment and appointment ?—No. You must have the whole thing provincial ; otherwise the people will feel that their chances of promotion are very few, and unless you let these people know that their chances of promotion are more than they at present possess you would not find them entering into the service. The tahsildars, in any case, should be made part of the Provincial Service. Once the naib-tahsildars get the conviction into their mind that they, and they alone, will be the tahsildars, you will have no difficulty in recruiting. The pay of the tahsildars should also be increased.

30017. You have spoken about the difficulty of intercourse between the officials and the people of the district ; have you had any personal experience of that matter ?—I have always found that so far as the officers are concerned they do not give that sort of warm reception which one expects to receive from them. If one goes to see them, it appears that they consider that it is only a purely formal matter, and after a couple of minutes' talk which is of a formal nature, the officer says that he has nothing more to ask, and shows an attitude by which the visitor receives the impression that it is now time that he should withdraw. There is no consultation with regard to administrative matters and with regard to matters about which people would generally like to be consulted. The District Officer and the official class of men generally keeps himself quite aloof.

30018. Do you mean all classes of officials, however recruited ?—I find there is a greater coldness on the part of Executive Officers and a little less on the part of Judicial Officers, but there can be no doubt that the same kind of coldness is perceptible among the whole of the official class. It is not so much amongst the members who belong to the Judicial Service, but, I would certainly like that the whole class should receive the people more courteously and should be more polite than is at present the case.

30019. Are you speaking of your own personal experience ?—Yes ; I would not like to give individual instances, but I have seen men who have only recently come out as Joint-Magistrates, and when people have gone to see them they have been received in a manner from which it appeared that they had gone to ask some favour. Instead of receiving polite treatment and instead of feeling that the officer had received them in a very courteous manner, they come back disappointed and think that they have only wasted an hour or two which could have been profitably spent otherwise. The result is that unless they think it absolutely necessary they will never go and see him again.

30020. It is rather a question then of covert than of overt discourtesy ?—I do not mean to say that they intend to be rude, but they treat the people in a manner from which they naturally get this impression.

30021. Do you share the views about official Chairman of municipalities which we have heard this afternoon ?—I do.

30022. You think it would be possible to obtain in the municipalities, large or small, non-official Chairmen ?—Yes.

30023. With a control over the municipality exercised by the Collector ?—Yes. I should like to see the Collector supervising from without, not supervising from within. When matters proceed, after having been decided by the Board, then the Commissioner or Collector, so far as powers are given to him, may offer his objections ; but in their deliberations when things have to be decided it would be much better to leave the municipalities to themselves.

30024. (*Sir Steyning Edgerley.*) If you raised the pay of your naib-tahsildars as you suggest, would it not really be a better reform to break up the present *tahsil* and have more tahsildars ?—I think it would not work and would create confusion. You must give the tahsildar some assistance, but the assistant you give him should also be one who has some independent duties to perform ; it would not do to have one man doing the whole of the existing work.

30025. Why would you give him extra assistance if his charge is not too heavy ?—Because I do not like one man doing all sorts of work. Moreover, it would be very difficult to break up the *tahsils* and it will not do to have innumerable *tahsils* in a district. For instance, there are certain districts in the United Provinces where you have already got about nine *tahsils* and to each of those *tahsils* you have got one tahsildar, and sometimes two naib-tahsildars. In the *tahsil* of Lucknow you have one tahsildar and two naib-tahsildars. In that case you would have to break up the Lucknow *tahsil* into three *tahsils*. I would not advocate such a small sub-division.

30026. How would you organise a separate Court of Wards Service for the province ?—I would suggest that a number of Deputy Collectors should be set apart who should invariably be put in charge of the Court of Wards. The Collector being primarily under the Revenue Act responsible for the management of the wards in his district I would make this service subordinate to him, but I would have the Commissioner of the division as the head of the Court of Wards.

30027. You suggest that certain sources of income should be transferred to the municipality ; what is in your mind about that ?—For instance, in a municipality like Lucknow and Fyzabad there is a large income derived from the *Nazul* Department ; that is a department which is entrusted with the management of all the property belonging to the Government situate within the municipality. It is proper that all the income which is derived by the Government from property situated within the limits of the municipality should be made over to that municipality because there is the responsibility regarding management, &c., which the municipality itself has to undertake with regard to that property.

30028. The municipality would not have the same benefit from any other owner of land ?—No.

30029. What is the reason for applying that specially to Government ?—In order to put the municipalities on a sounder basis.

30030. Practically a grant in aid ?—Yes.

30031. (*Mr. Meyer.*) You think that the Imperial Government should get a share of the income from land revenue ?—Yes, they are already getting a share, but in my opinion they ought to leave a greater share for the provincial Government.

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30032. Are you aware that there has been a new settlement for this province which gives it a much larger share than it used to have?—I have heard of that. The settlement does not go quite up to the limit I would wish, but it goes a long way towards that.

30033. You mention as an instance of the revenue-seeking faults of the Government of India that for a long time they did not reduce the salt tax. How do you suppose you would have got on if they had reduced the salt tax ten years ago; would there not have been considerable deficits?—Yes; but that would have led us into the consideration of various other matters; I advocated in that case that the expenditure in other directions should have been lessened and the salt duty in any case done away with.

30034. If the salt duty were left to the provincial Governments would they have done away with it?—I should have asked the provincial Governments also to do away with the salt tax.

30035. But which Government is more likely to reduce taxation, the Imperial or the provincial Governments?—At present the remission of taxation is not so much in the hands of the provincial Governments at all as it is in the hands of the Imperial Government, and we generally find that the remission begins from the Imperial Government if there is remission at all, not so much from the provincial Government.

30036. The provincial Government might be more likely, might it not, to say "We want the money spent on education or on new buildings, so we will not remit the tax"?—I would not advocate in any case the retention of onerous duties like the salt tax in order to meet expenditure for these purposes. There are other heads under which the expenditure can be curtailed in order to meet the above requirements.

30037. You say provincial Governments should not be allowed borrowing powers except for reproductive works, such as railways and canals. Does not the Government of India borrow for works of that description already?—Yes, but in certain cases the provincial Governments are in a position to be better judges of their own requirements and if they were left to themselves things would improve. At present when the Government of India borrows money and spends it on a particular work the income and interest derived out of it goes entirely to the Imperial Government. When I have advocated that the provincial Government should be given borrowing powers I mean that all the income should go to the provincial Government.

30038. You are not aware that under the new settlement the provincial Government is to have the proceeds from irrigation work?—I am not aware of that; if that is so, it is very satisfactory indeed.

30039. Could the provincial Government raise money in Allahabad or in Lucknow to any great extent?—I know there will be difficulties in raising money, but for reproductive works I do not think there will be any difficulty at all within the limit I have stated—that they should not go beyond 25 per cent. of their revenue, and that the whole thing must be repayable within a particular period, say fifteen to twenty years.

30040. You propose the abolition of the Board of Revenue; would you be prepared to turn the members of the Board of Revenue into a Council?—Yes. If the members of the Board of Revenue are to be abolished and in their place an Executive Council of the Lieutenant-Governor is created, that would be a very good substitute indeed. But even without an Executive Council I would do away with the Board of Revenue altogether. I would have the whole power vested in the Commissioners of divisions, who are the officers in touch with the division. Officers like the Commissioners are primarily responsible for matters concerning the welfare of their division.

30041. In such matters as excise and agriculture, which are now dealt with by special officers under the Board of Revenue, would you put those officers under the orders of the Local Government?—The difficulties would certainly be done away with if you gave the Lieutenant-Governor an Executive Council, but if you do not give the Lieutenant-Governor an Executive Council the matter could safely be dealt with by giving the Secretaries to Government powers with regard to these matters.

30042. With regard to the two classes of rent suits that you mention, will you describe a little more fully what the second class is?—The second class of cases are those in which there is required a more detailed knowledge of revenue matters and in which the appeal at present goes to the Commissioner and Board and not to the District Judge and Judicial Commissioner or High Court. In regard to them I would retain the decision by the present revenue staff, namely the Deputy Collectors. The result of the abolition of the Board of Revenue will be that the right of third appeal will go away. Under the present system of appeal we have three appeals in purely revenue cases, and we have two appeals in these classes of rent cases in which the appeals lie to the Commissioner and to the Board; in those cases, therefore, only two appeals are provided. When the Board of Revenue is abolished I would make those appeals go to the High Court or to the Judicial Commissioner.

30043. You are taking into consideration the fact that appeals at present skip a stage; if the Deputy Collector is fully empowered they go not from him to the Collector, but from him to the Commissioner. Might not the Collector be the appellate authority?—No. In matters relating to ejectment, &c., there ought to be an appeal from a Sub-Divisional Officer, or a Deputy Collector to an officer of a more varied experience than that of Collector. I would make the Commissioner the appellate authority from the orders of the Sub-Divisional Officer and not the Collector.

30044. (*Mr. Dutt.*) I understand you to say that in your opinion there ought to be a discrimination made with regard to rent cases; that some should be made over to the Civil Courts and others left with the Revenue authorities?—Yes.

30045. And that with regard to revenue cases they should all be kept in the hands of the Revenue Officers as at present?—Yes.

30046. You say that larger powers should be given to municipalities in matters of taxation. Does the Municipal Law, as it stands at present, define certain taxes which the municipalities are empowered to impose?—Yes.

30047. When you speak of larger powers, do you mean that that they should be allowed to impose any of these taxes defined in the Municipal Law?—Yes; what I meant was that they should have the power to judge as to what particular commodities they would like to impose taxes upon in preference to any other commodity.

30048. You would not allow them to exceed the limits laid down by the law?—Certainly not.

30049. But would give them discretion within the four corners of the law?—Certainly.

30050. When the municipalities impose such new taxes according to the law, would you require that they should receive the sanction of Government or of the Commissioner?—I would certainly require the sanction of the Local Government because the Government possesses a very varied experience, and with the experience of the whole province it can look into matters from a more catholic point of view. A particular municipality may consider that for the purposes of municipality it would be well to impose a particular tax, whereas, on higher and broader grounds, it might not be advisable.

30051. You would give the Government power to veto any tax if they considered it inadvisable?—I would certainly retain that power in the Local Government.

30052. In cases where the Collector is unable to accept the advice of the Advisory Council would you leave the Collector a free hand to act on his own responsibility?—I would specify certain matters on which the advice of the Advisory Council must be followed by the Collector; if the Collector differs from the opinion given by the Advisory Council he may refer the matter to the Local Government, and the Local Government will be the best arbiter between the two. On other matters which are purely executive and on which the Collector is the person primarily responsible for the administration of the district, I would only ask that the Collector should consult the Advisory Council, but not be bound by the opinion given by the Advisory Council. In a matter like this I would certainly give the Council the

right to go up to the Local Government to represent its views, and it may be that in that case the Government might write and say, "Here is a difference of opinion between you and the Council and you must abide by the decision of the Council."

30053. Take a concrete instance. Suppose the Collector thought it was necessary to drain a particular area, and the Advisory Council thought that drainage works should not be undertaken; you would not allow the Collector to act on his own responsibility without going up to the Government of the province? —Exactly.

30054. Similarly with regard to educational policy? —Exactly.

30055. You have no village panchayats in the United Provinces at present; do you think an attempt should be made to organise them?—Yes, and really capable men should be had upon the village panchayats in order that the working should be a success.

30056. Is it possible to get capable men in every village?—It will not be possible to get them in every village, but if you could not get them in every village you could form a group of certain selected villages and you should start by establishing village panchayats there.

30057. A group of villages contiguous to each other?—Yes, and certainly out of the people residing in that group you would be able to get competent men.

30058. Would there be no diffiulculty in working a number of villages together?—Absolutely none. Speaking from my own experience I do not know that there is any difficulty at all; the residents of different villages often meet together and discuss what is to be done with regard to a particular matter.

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30059. Is it within your experience that they are generally alive to their own interests if the matter is properly explained to them? — They certainly understand their own interests very well; the only thing is that on certain questions they have not formed their opinions in a definite way; they have only crude notions; if once matters are explained to them in a proper way, the real point of dispute is appreciated by them and they are able to form their own opinion.

30060. So that with a certain degree of guidance you think it might be a success?—Yes, for instance with regard to ordinary money suits up to the limit of Rs. 50, which are at present entrusted to the village munsif, they might be safely taken away from the munsif and entrusted to these village panchayats, but I would up to a certain period advocate that one appeal should be allowed from their decisions to the District Judge.

(*The witness withdrew.*)

Adjourned.

FORTY-SEVENTH DAY.

LUCKNOW, *Friday, the 14th February*, 1908.

PRESENT:

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*

Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. P. HARRISON, I.C.S., was called and examined.

30061. (*Sir Frederic Lely.*) You are Secretary to the Board of Revenue?—Yes. I have previously had experience as Head of a district.

My duties are principally concerned with the settlement, collection, remission, and suspension of land revenue; the working of the revenue and rent law and revenue courts; loans for agricultural purposes; land records and the establishment connected therewith; appointments, transfers, and general control of tahsildars and naib-tahsildars and the selection of candidates for Deputy Collectorships; miscellaneous matters dealt with by the Board of Revenue, such as maps, and occasional references on general subjects on which the Board is consulted; general control of the Board's office establishment.

Except in routine matters, I exercise no final authority. In important matters my duty is to prepare cases for the orders of the members and to offer my opinion for their consideration where my personal experience or study warrants such a course. When their orders or views are recorded it is my duty to see that the requisite action is taken in pursuance of them.

In respect of land revenue, I do not recommend the further delegation of powers except in the matter of the suspension and remission of land revenue in the case of local calamities.

The opportunities which Executive Officers have for personal contact with the people vary from district to district, according to the burden of the work. In many places they are ample, but, in some, want of leisure is a great obstacle. In the heavier districts some improvement might be effected by posting a fairly senior Assistant to relieve the Collector of much of the routine, giving a local allowance if necessary. The large municipalities might also, in many cases, have a Chairman other than the District Magistrate.

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The gazetted subordinates of the Collector have in many places to work at so high a pressure that the quality of the work suffers and undesirable delays occur. The clerical staff, particularly in vernacular offices, is overburdened and underpaid and a general enquiry is necessary. Districts in the United Provinces are, with a few notable exceptions, of a suitable size.

Municipalities have, on the whole, sufficiently wide powers, but District Boards are too much fettered in financial matters. Their funds should be "Excluded" and not "Incorporated," in the technical language of the Civil Account Code. The functions of District and Municipal Boards are sufficiently extensive.

I am not in favour of Advisory or Administrative Councils to assist Divisional or District Officers or of giving District Boards control over the smaller municipalities.

I do not think it desirable to give village communities greater powers in local affairs.

30062. Apart from its appellate work, how do you differentiate the functions of the Board of Revenue from those of a Commissioner or the Heads of special Departments, such as Excise; do they not practically cover the same ground?—I suppose they do generally. Of course the Board of Revenue deals with questions generally, and the Commissioners deal with them locally for their divisions.

30063. You say that you are prepared to recommend the grant of extended powers to the Board, to Commissioners, and to Collectors; what powers in particular would you give to the Board which they do

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not at present possess?—There is one rather important power which might be given either to the Board or the Commissioners, and that is the remission of land revenue in times of local calamities, when the financial question is not very important.

30064. Would you place any limit on the power?—That is a matter for the Government to settle; at present in these provinces no remission of land revenue can be made without the actual sanction of the Government as a preliminary to the suspension or remission of rent. The law would have to be amended to some extent, and if it were amended, so that the Government could authorise certain officers to remit or suspend revenue, then it might safely be done in smaller cases of local calamities, such as an occasional flood.

30065. Would you extend that power so far down as Collectors?—Yes, within limits. Then in the Court of Wards it might be possible to give Collectors more power as to smaller estates; the control of the Board is necessary in the case of larger estates where the financial considerations are of importance, but the system of accounts and reports and so forth might be much simplified; in fact, it might even be possible to dispense with the annual report in some of the smaller cases. The Collector might send up his account, and the Commissioner might ask for any information he wanted. There are several petty estates which are not worth writing about really, and the Commissioners and the Board of Revenue, on their tours, could see that things were going on all right.

30066. You would draw a distinction according to the importance of the estate; but is not the work practically the same in the case of a small and a large estate?—No: in the larger estates you are likely to get involved in serious financial questions, and sometimes in serious litigation; and in litigation, for instance, the Collector has not the advantage of good legal advice, and he has not the same number of precedents either. Then, again, in financial matters, if the estate is heavily indebted, the Collector has not the means of raising a big loan or dealing with the estate, whereas the Board of Revenue frequently have to raise loans, and as a matter of fact they have an arrangement with the Allahabad Bank by which they can have an unlimited amount of money at a certain rate per cent.

30067. Would you approve of reserving certain important powers, such as the sanction to raising large loans, for the orders of a higher authority, and giving the whole of the management of the estate to the man on the spot—the Collector?—That is practically what happens now: the management is done by the Collector or a lower officer.

30068. Does the Collector now feel himself responsible for the success of the management?—Most certainly.

30069. And it rests mainly in his hands sufficiently so to stimulate him to personal interest?—Yes. He would be ashamed of himself if the estate was not running well.

30070. Has he any original power of expenditure?—He has to have his budget passed. The year begins in October, and in July or August he has to send up a budget for the next year providing for payment of land revenue, the expenses of the wards and various things, and the payment of debt, if there is any; then the balance he puts down as a rule, or a considerable amount of it, for improvements, and with a large estate he can do a great deal.

30071. Can he re-appropriate on his own authority?—No, the authority which passes the budget has power to sanction transfers; that is to say, no one below the Commissioner at present.

30072. It follows that he cannot spend any money out of the reserve?—No, except towards the payment of debts, if there are any; if he has an unexpectedly large the end of the year, he is allowed to pay off debts.

30073. But practically he has no power to make any new departure however small without referring to a higher authority?—That is so.

30074. In the case of the budget, does the Commissioner sanction?—All but the biggest ones.

30075. Does he, or the Board, often make any alteration in the budget as submitted by the Collector?—Not as a rule. As to substantial alterations they may say, "No, you had better clear off your debts and not spend so much on improvements or that sort of thing." Then extra establishment has to be sanctioned.

30076. Apparently from your detailed answer the Collector has not very much financial independence?—He can make proposals; the initiative more often than not comes from him, and he has only to get them sanctioned; if his proposals are reasonable, the Commissioner and the Board seldom reject them. I do not think there is much change to be made in the management of the Court of Wards except as to the small estates.

30077. Would you give Commissioners power to post tahsildars in their divisions?—They have power to move tahsildars to any *tahsil* in their division.

30078. Do they appoint them?—Yes, to temporary vacancies, but not permanently.

30079. Would you give them power to create temporary appointments of any class required for special work?—They have that power to some extent already, and there is a regular budget provision in this province for certain kinds of extra temporary establishment which the Commissioner has power to appoint, and there is a proposal before our Government now to give that power to Collectors provided they have already budget provision. There are certain branches of work in which every year there is a rush at a particular season, and if you want a few extra men the Commissioner has power to allow them.

30080. In the case of Collectors would you give them power to appoint their own head clerks?—No, because as a rule a Collector has not a very large choice.

30081. If a Collector writes to a Commissioner and says, "I know a certain man who would work well with me and I wish to have him," would the Commissioner appoint him as a matter of course?—He would give due weight to the recommendation. That matter has been taken up too. Commissioners have had power to appoint all sorts of ministerial officers in the Collector's office, even men down to as low as Rs. 50, but that has been altered, and the Commissioner is now to appoint nobody excepting head clerks and the general superintendent, who is head of the vernacular department.

30082. But it would be always open to the Collector, if he had not a man whom he could thoroughly confide in, to write to the Commissioner and say, "I have not a man on the spot who is fit for the office"?—That, of course, happens in regard to appointments now.

30083. Ought not the Collector to have the power to appoint his own head clerk, considering how intimately connected he is with the Collector's work?—Perhaps it might be done, but I am not sure that it is altogether sound.

30084. Has the Collector power to delegate his own powers to his Assistant?—I do not think he has any definite power; of course, he leaves a good many things in executive matters and allows his subordinates to run certain branches of the work, but in judicial matters it would not be possible.

30085. Does he differentiate between his Assistants with regard to particular powers?—He uses Joint-Magistrates more for executive work than he would a Deputy Collector, for instance.

30086. Is not each Assistant on the same footing?—Occasionally some of them have summary powers under the Criminal Procedure Code, but they are not all the same.

30087. Has an officer powers apart from the Collector?—The Collector appoints the Sub-Divisional Officer in his own district with a few exceptions. He puts him in charge of a sub-division, under the Criminal Procedure Code or the Land Revenue Act, and *ipso facto* certain powers are conferred by the appointment by law. The officer in charge of a sub-division has further powers.

30088. Would you give a Collector a discretionary allowance for minor matters, such as giving rewards for good service?—Yes, that might be appreciated, but I do not know that I have ever actually felt the necessity for it myself; one is hampered, of course, by not having money sometimes, but that must happen.

30089. It has been proposed that during the first year of a young Civilian's official life he should be sent for some months to learn settlement work ; have you any such custom here ?—Not necessarily to learn settlement work ; they are sent to a land records class as it is called.

30090. Is that in the Settlement Officer's camp ?—No, there are so few settlements going on that it is not possible ; it is done by the Director of Land Records at Cawnpore.

30091. Would it be better to send a young Civilian through a course lasting for the first twelve months of his service ?—I do not think that would be quite possible.

30092. Is it not very inconvenient after he has begun his regular work to take him away for that course ?—They do not get into regular work in the first year.

30093. You do not think there would be much practical good in making any change ?—It is too early to do it in the first cold weather ; an Assistant has to learn the language and prepare for his examination, and so on.

30094. The suggestion is that in a Settlement Officer's camp he would have more opportunity of learning the language and mixing with the people than if he remained at headquarters ?—On the other hand, he would not be able to obtain sufficient general knowledge of the country and the people to undertake settlement work ; if he is to go on to settlement work it ought to be done a little later.

30095. (*Mr. Dutt.*) There are two Members on the Board of Revenue ; are the departments divided between them ?—Yes.

30096. For the purposes of appeal, is the whole province territorially divided ?—Yes, the members usually distribute the Commissioners' divisions between them.

30097. Might some of the revenue appeals which now come up be delegated to the Divisional Commissioner ?—All the appeals that come to the Board are actual appeals from the Commissioners ; they are second appeals and even third appeals in some cases.

30098. Do you think that in certain cases the Commissioners' decisions on those matters might be made final without an appeal to the Board ?—As a matter of fact, they are limited to points of law much as they are in the Civil Procedure Code. There are one or two anomalies in the revenue law as to second and third appeals, and one curious thing in the Act is that if a Commissioner has disturbed a finding in first appeal there is an appeal on that ground alone ; otherwise there is practically a second appeal to the Board only on points of law. I think there should be some provision for a final decision with regard to Revenue Law.

30099. Generally speaking, how many *tahsils* are there in a district ?—The average is five or six ; it runs up to nine in one or two districts ; but in some of the Oudh districts it is only four.

30100. Do you generally call a *tahsil* a sub-division ?—It is so legally under the Land Revenue Act, and it has been declared to be so under the Criminal Procedure Code.

30101. Is there an officer in charge of that sub-division as well as a tahsildar and naib-tahsildar ?—Yes. It frequently happens, if the staff is larger or smaller than usual, that perhaps you will have one Sub-Divisional Officer dealing with one *tahsil* as a Magistrate and another man taking the revenue work.

30102. Do you know the arrangement in Madras, namely, that a district is divided into two or three sub-divisions, each sub-division being in charge of a Sub-Divisional Officer, and each sub-division is again divided into two or three *tahsils*, each *tahsil* being in charge of a tahsildar ? Would such an arrangement be convenient in this province ?—I do not think that differs essentially from our arrangement, except that the Sub-Divisional Officer and the tahsildar generally correspond, but it does not follow that the Sub-Divisional Magistrate necessarily only has one tahsildar. Frequently I have had to give him more than one so that it comes to the same thing—there is a Sub-Divisional Officer in charge of two sub-divisions, instead of three *tahsils* in one sub-division.

30103. Would not the arrangement I suggest be more symmetrical ?—I think the system would not be quite so elastic ; you would have an absolutely stereotyped provision.

30104. You do not think your system is a little too elastic ?—It is recognised that certain *tahsils* can be dealt with generally with the normal staff, but if you are suddenly left with an officer short or you have an extra officer in a district, you can readjust the work with greater ease, and it leaves the Collector greater discretion.

30105. Is that the only thing you can say in favour of the present arrangement ?—That is the great convenience.

30106. Beyond that you do not see any objection to the system prevailing in Madras ?—I should be very sorry to have three ordinary *tahsils* to a sub-division in an ordinary district—it might be possible sometimes.

30107. But the Sub-Divisional Officer here might be placed in charge of two ?—Yes, and he sometimes is.

30108. Do settlement operations generally involve a preliminary enquiry into the conditions and circumstances of the people ?—Yes, that is generally done by the Director of Land Records, but of course the Settlement Officer would look into the prices and the history of the seasons, and so on, and see how the rent seemed to have gone up. It is generally looked at very largely from a financial point of view.

30109. But does he look into it from the point of view of the cultivator, to find out if any enhancement is possible ?—You can tell that from the land records.

30110. And no further detailed enquiry is made ?—No ; perhaps he tours in the district and sees very often that the figures are anomalous, and he has to go and see what the probable cause of the anomaly is. He does not make a very prolonged tour, but he takes it mainly on the records.

30111. Does he consult the people in order to form an estimate as to whether any enhancement is possible ; and, if so, whether it is likely to be 5, 10, or 20 per cent. on a preliminary estimate ?—The estimate does not seem to me to depend so much on the people. If you find the revenue of a district is now 20 lakhs, and your standard of assessment is 50 per cent. and the rentals are now 60 lakhs, then there is obvious scope for a settlement.

30112. So that he goes on the figures ?—Yes, and on his knowledge of the district and whether it would be politic to act.

30113. Is the rental of an estate fixed on the basis of the rent actually obtained by the zamindars ?—Allowances are made for short collections and various things of that kind as far as possible, but the assets on which the settlement is based are a fair estimate of the annual income and what with reasonable care in management a man may make.

30114. Then you do not proceed on the actual assets, but you find what he might get by reasonable management ?—No. You take his recorded rent, and the rents are recorded with fair accuracy, as the basis ; you add his *khudkasht* and that sort of thing, and in the Agra province you may have occupancy rents which are capable of enhancement and are enhanced by the Settlement Officer. Frequently they are not touched from one settlement to another. Then you make allowances and compare the result with the standard which is arrived at by an inspection of a large number of averages. Then if you find a man's rent-roll is far above, or far below, the standard, you look for the explanation, and if there is no explanation you readjust his rent. You very seldom raise it except when it is tolerably certain that he is concealing his rent ; the tendency is to whittle it down and make allowances for losses.

30115. Then do you fix the revenue at 50 per cent. or whatever it may be ?—That is the standard. It is generally less.

30116. When there is any enhancement made, has the cultivator any right of appeal against the Settlement Officer ?—Yes. To the Divisional Commissioner ; when there is a Settlement Commissioner he has the powers of the Divisional Commissioner. There is an anomaly with regard to that ; the settlements go up to the

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Board of Revenue and even to the Government before they are finally sanctioned, and even so the Commissioners are allowed to interfere.

30117. (*Mr. Hichens.*) Do a large number of matters come before the Board of Revenue in their collective capacity?—Yes. The work is actually divided by departments, and each member is primarily responsible for so many departments, but it is the practice in important cases for one member who is in charge of a Department to refer to the other for his opinion.

30118. Does he do that informally or formally, that is to say does the law prescribe that certain things shall be decided by the Board collectively?—No, there is an unwritten understanding about it; in fact, I myself frequently suggest that both members should deal with any case of importance, and if I do not the member will suggest that he would like his colleague to look into the matter.

30119. Do decisions emanate as the Resolutions of the Board, or as the Resolution of one member of the Board?—If both members have seen the case their names are placed on the minute; otherwise only the name of the member actually in charge of the Department appears. That is legal. Under the Land Revenue Act, one member can exercise all the functions of the Board.

30120. So that, practically speaking, the Board as a Board does not do very much?—Except in regard to judicial matters.

30121. Do they hear appeals jointly?—They do not hear them jointly. The member in whose circle an appeal rises hears the appeal, and if he thinks the order appealed against ought to be disturbed, he has to get the concurrence of the other member by law. If he thinks the appeal ought to be dismissed he can dismiss it on his own authority. The burden of the members' work is appeals. I have a lot of things to do in executive matters because the Secretary has to make it easy for them. If they had to do the work I do, they would not be able to get through it.

30122. Are pleaders allowed to appear before them?—Yes; legal practitioners of sorts; even down to revenue agents.

30123. Can the Board of Revenue decide whether an estate shall be brought under the Court of Wards?—Yes, the majority of the cases can be dealt with by the Board, but it depends on the nature of the cause for taking an estate under management. There are certain cases which require Government approval. When a man is merely incapable and applies to have his estate taken under the Court of Wards, the matter has to go to Government.

30124. Can Commissioners decide whether an estate shall be taken under the Court of Wards?—No, I think the Act requires the sanction of the Board in all cases.

30125. Is that a matter which might be left to them?—It might, but it is rather a matter of policy.

30126. Certain witnesses have said that it is a power which is too frequently exercised—what do you say with regard to that?—It would probably be found that a great many proposals of the Collector are negatived; the estates are not important enough to apply the machinery to them.

30127. Would the Collector be rather prone to take over estates?—Yes, and he would take too sanguine a view very often of the possibility of clearing off a debt, while the Board, with its experience of such matters, would be able to say that the income was estimated too high, or the ordinary expense of management was so much higher than the estimates, and that the debt could not be cleared off within any reasonable period.

30128. You say you think the larger municipalities might have Chairmen other than the District Magistrate?—Yes, a special official Chairman.

30129. You do not mean an unofficial Chairman?—No, not in this province at any rate.

30130. Have you any instance in your mind where it would have been advisable to have a paid Chairman apart from the District Magistrate?—The District Magistrate at Allahabad is overworked and cannot possibly attend to all his duties. The municipal work there takes up a very large part of his time, and he must sacrifice either the municipal work or something else of importance.

30131. What is your objection to a non-official Chairman?—I do not think the municipalities are fit for it, and I do not think the appointment would be popular.

30132. Supposing two-thirds or some large number of electors petitioned in favour of a non-official Chairman, would you then be prepared to try the experiment?—It would depend on the nature of the petition, and I do not believe much in the electorate. One never knows whether the ward rolls of electors are really correct; they are supposed to be revised by the members, but I do not know what attention they get; it would be a most difficult thing to check.

30133. You would not be prepared to take that as an expression of public opinion?—It would depend on circumstances.

30134. If you thought it was genuine would you then be prepared to give them a non-official Chairman as an experiment?—If they could give good reason there would perhaps be no objection.

30135. Would not the mere fact that the majority were in favour justify you in trying the experiment?—I have never even contemplated the idea of two-thirds of the electorate coming in that way; the people do not take enough interest in it. I am not prepared to express an opinion on the point.

30136. Then you say that District Boards are too much fettered in financial matters?—Yes, I have had some difficulties myself. For instance, we had a new hospital in Moradabad, towards the furnishing of which the gentry of the district subscribed very handsomely; the money was paid into the District Board account, but we could not touch it for months simply because it had not been provided in the budget. That of course was absurd. The money was subscribed for a special purpose, for which it could not be used owing to no provision having been made in the budget. It was because the District Board accounts are Incorporated Local Funds and they appear in the provincial estimates for some reason; but I believe it is to be altered.

30137. When the alteration is made will that meet the difficulty?—Yes. Municipal accounts, on the other hand, are quite simple, and have nothing to do with the provincial accounts.

30138. Would you be averse to having a non-official Chairman for District Boards?—It would be very much more difficult, and your choice would be restricted to one or two men at headquarters, possibly, who were members. You could not very well have a man living out in the district as Chairman.

30139. (*Mr. Meyer.*) You are against having a non-official Chairman for a large municipality; but have you thought of a system by which you might have a paid Secretary corresponding to a Town Clerk in England, and a non-official Chairman who would correspond to the English Mayor?—I am not familiar with the arrangement in English towns; I know the Town Clerk is a very important functionary, but I do not know how far his duties extend.

30140. Would it be possible to have some such arrangement here?—We have a paid Secretary who does most of the executive work in the bigger municipalities.

30141. Is it necessary to have an official Chairman and a paid Secretary as well?—I do not know how you would arrange for the secretariat work if you had no Secretary; the Chairman could not do all the correspondence.

30142. It has been suggested that the Secretary to the District Board might be a full-time officer, and especially that he might deal with educational matters; would that be a good thing?—I do not think you would have work enough for a full-time officer.

30143. Who does the secretariat work now?—Generally one of the district staff.

30144. Is there not a complaint that the district staff are overworked?—If you had a separate officer would you not relieve the district staff?—Certainly.

30145. Would there be an advantage from that point of view?—Yes, but I am not quite sure what kind of man you contemplate.

30146. Say a man of the tahsildar or Deputy Collector grade?—If you put in a man like that, it is just as easy to increase the district staff. There is not full-time work in most places for a Secretary.

30147. Might the District Boards deal with their own roads as they do in some other provinces?—I think they do except with what are called provincial roads.

30148. Have they ever had any control over the District Engineer?—He is a Public Works Officer, but the District Engineer works well enough with the Chairman of the District Board as a rule.

30149. If the Chairman found him unsatisfactory, could he get rid of him?—He could get him punished. But you can always get the Executive Engineer to help the District Engineer.

30150. You are dependent practically on the favour of the Executive or Superintending Engineer? If he backed up the District Engineer, what would you do?—That is true in a way; one has not direct control certainly, but there is an advantage in having a Public Works man to do the work, because the District Board would not be able to afford a good man.

30151. It is a question of finance then?—Yes, largely; if you had the means I think it would be well to have a separate man.

30152. Would it be possible for two districts to join together and have an Engineer for the two?—That might work.

30153. In your old District Boards Act was the Collector *ex officio* the Chairman of the Board or was he elected?—He was elected, and under the new Act he is elected. I think the original draft of the Act proposed to make him *ex officio*, but that was modified.

30154. Is it the same as regards municipalities except in certain cases?—Yes, Government reserves power to appoint in certain cases.

30155. Are such towns scheduled in the Act?—Government notifies them from time to time.

30156. Are you Secretary to both members of the Board?—Yes, that is to say I deal with departments some of which are in charge of one member and some in charge of the other.

30157. You do not mention excise work among your duties?—That is dealt with by a Joint-Secretary, whose principal duties are Court of Wards and excise.

30158. The bulk of the Board's work, you say, consists of appeals?—The bulk of the members' time is taken up by appeals.

30159. Are they largely second appeals?—They must be second appeals unless by chance a Commissioner passes an original order in some executive matter. Under the Revenue Act appeals start generally with the Collector and may go to the Board, and in rent cases there is an appeal first of all to the Commissioner.

30160. Is it only under the Tenancy Act that there is a system of skipping the Collector?—Yes.

30161. Not in any revenue case?—No. Of course, the Collector passes more original orders under the Land Revenue Act than he does under the Tenancy Act.

30162. Ought not appeals from the Sub-Divisional Officer to go to the Collector?—There is no particular reason why they should not, except that it is inconvenient. It would overburden the Collector.

30163. Anyhow it would relieve the Commissioner and the Board?—It depends on how far you let appeals go. It would relieve Commissioners of course, and there is a provision by which Commissioners, if they are overburdened, are allowed to transfer a certain number of their appeals to Collectors.

30164. Therefore they can do it now by an indirect process?—Yes, but they are only allowed to do it in times of pressure. As a matter of fact, a Collector is somewhat at a disadvantage in not being able to hear appeals in rent cases; if he could, he would have a better hold of the district, but I do not think many of them are anxious to have the work to do.

30165. Under your sub-divisional system an officer may have charge of one *tahsil* one month and another *tahsil* another month, and so on?—If the Collector likes to change about like that, but he does not do it.

30166. Does he tour through the *tahsil* or does he live there?—He does not as a rule live in the *tahsil*.

30167. Does he get sufficient knowledge of the people or the people of him in that way?—I think so; their charges are not very big in area as a rule.

30168. Would you be in favour of making a Sub-Divisional Officer live in his own sub-division and keeping each sub-division as a continuous entity?—That no doubt would be more advantageous, but I am not sure that it is worth while.

30169. Can Sub-Divisional Officers now take criminal appeals?—I am not quite sure how the law stands, but it is possible to give a First Class Magistrate powers to hear appeals.

30170. Do you not think he might take appeals?—He might, but, on the other hand, the only appeals he would get would be those from tahsildars, and this is one way in which the District Magistrate can see what his tahsildars are doing.

30171. Does he not see the calendars of cases?—Not in detail; I do not know quite what calendar means.

30172. The calendar is a statement of the case, the judgment and the sentence?—We have no such system as that here. One cannot tell whether it is a right sentence or wrong sentence from the daily report we have, which is a bare statement that someone was charged under some section and was imprisoned for a week and so on.

30173. Might it not relieve the District Magistrate if you distributed his criminal appeal work as far as possible among the Sub-Divisional Magistrates, and gave him more information in the shape of a calendar as to what was going on?—I have never felt the burden of criminal appeals myself, and they are not a very important part of one's work. I do not think that even in the biggest districts they come to more than 120 to 130 a year on the average.

30174. As regards Court of Wards work, do you take up many encumbered estates, the proprietor being of full age and simply wanting the estate to be taken over?—I think so, but I cannot give you any idea of the proportion to all Court of Wards cases. There are certainly a good many.

30175. You spoke of District Officers being rather over-anxious to get estates taken over; were you referring to encumbered estates or to estates which had fallen into the hands of a child or a woman?—In the case of minors and women there is more general readiness to take them over, but in cases where estates are merely indebted the Court of Wards will not, as a rule, take them over so readily.

30176. Have you a great number of applications for sanction from Commissioners; and is the bulk of them agreed to as a matter of course?—Yes, I think so.

30177. Generally speaking, is there not a great deal of work in the Board's office which might be handed over to Commissioners?—I think Commissioners might be given more final authority in some small matters.

30178. And might Commissioners delegate some matters to Collectors?—Ever since this Commission has been appointed I have heen looking through all sorts of rules and regulations, and it is astonishing what few things there seem to be which could be delegated.

30179. The late Mr. Impey submitted proposals for reducing the number of returns, and so on; was there any delegation of powers made at the same time?—Not that I recollect.

30180. (*Sir Steyning Edgerley.*) When you looked through the reports and returns what was the principle in your mind to guide you?—I took up a branch of the work and saw what parts of that work required references and sanctions, and so on, and I also, speaking for myself and the members of the Board, have considered certain points where some action might be possible.

30181. Is it not the best principle that no case should be sent up which could possibly be safely decided by the subordinate officer?—If any rules could be made to give effect to that it would be excellent; the difficulty is to draw the line.

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30182. That is hardly the principle which governs the references at the moment?—I am not sure, a good many references are required by law. When the law was made it was admitted that some further sanction must be given as a safeguard. Most of these things can be traced back to some necessity.

30183. That may be sound when the law is passed, but as time goes on is it not found that it can be dispensed with?—All these things have been considered independently of the law, and actual amendments of the law have been suggested with that principle in view; for instance, it is owing to the law that at present nobody but the Government can remit land revenue.

30184. It has been stated elsewhere that a sufficiently safe principle with regard to remissions and suspensions is that the Collector should suspend in all cases, and that the Commissioner should remit in all cases; would that be too much for this province?—You might take the present famine time. I do not think the Government would like the Commissioners to suspend 115 lakhs of their revenue, without being warned at any rate.

30185. Does the system of countersigned contingencies give very much trouble?—I do not think so; countersigning is generally a formality, and it does not give much trouble except to the countersigning officer.

30186. Does it not mean a letter backwards and forwards?—We do not actually write letters with those things.

30187. Supposing all contingent grants were lumped into a contract contingent allotment, would that not be simpler?—I doubt whether that would be possible because there are varying items.

30188. What is the actual object of an annual report as to Court of Wards work?—To report progress really; there is nothing else that I can see.

30189. So long as their accounts are available to the persons interested in the estates, what more is wanted?—That, again, seems to me to go back to the question as to who is to run the estate. If Collectors are to have a free hand, possibly you might dispense with annual reports altogether; but if you recognise that some control is required, then the least you can do is to have the annual accounts and something to explain them.

30190. But you publish a big report?—That is the provincial report.

30191. What is the object of that?—I do not know what the origin of it is, but there is no Department at present which has not to report—whether it serves any useful purpose is for the Government and the Home authorities.

30192. Can you mention any useful purpose which you think it does serve?—It is useful as a book of reference in future years, but whether that is a really useful purpose I do not know; it is entirely for the Government and the Home authorities to deal with it.

30193. What is the present charge to estates for management?—I think it is from $2\frac{3}{4}$ to $3\frac{1}{4}$ per cent., that is for superior supervision.

30194. And that covers the charges of management in the Board of Revenue?—Yes.

30195. Did you say that every Collector ought to have a grant for improvements?—If he has any money to spend, and he has any improvements to suggest, he budgets for expenditure.

30196. Has he any sort of reserve which he can use at his discretion during the year in connection with the Court of Wards estates?—There is a small provision made for unforeseen charges, but it is quite small and of no importance.

30197. Have you any system by which you can give Government loans to clear estates, or do you always have to raise money outside?—It is done sometimes. To the big Ajudhia estate the Government advanced money at 4 per cent., a lower rate than a bank would allow, but that was for a political reason and was a particular case.

30198. Is there not a certain amount of political importance, in rescuing the ordinary district aristocracy?—That is recognised by the fact of the Court of Wards existing.

30199. There has been a certain amount of evidence that the management of estates has to be frequently thrown up again which were thought worthy of being taken into the case of the Court because loans could not be raised to clear them—have you any experience of that?—I do not think there is any difficulty in getting the money.

30200. Do the estates pay for the legal advice which it is necessary to take?—Locally in the case of small suits, for the recovery of rent, and so forth, the Government Pleader is bound to advise the Collector.

30201. Is that done free?—No, he is allowed a fee from the estates.

30292. Do the big estates also have to pay the legal expenses in cases of big litigation?—They would pay, but if the Board wants a legal opinion it goes to the Legal Remembrancer and he refers to the Government Advocate.

30203. Are they paid?—They are not paid specially; it is part of their duty; they have fixed salaries, which are partly met from the rate which is levied on the estates.

30204. Does that come in in the $3\frac{1}{4}$ per cent.?—Yes, but in some districts the Government Pleader gets a fee.

30205. As regards the want of extension in non-official management in local self-government, have you ever sent any one round to examine into the working of municipalities elsewhere, or have you ever known it done?—Yes, I went myself once to look into the Cawnpore arrangements, but I have never been outside the provinces.

30206. With regard to the system of single *tahsil* sub-divisions, how do you manage the record for the Sub-Divisional Officer; is there a separate sub-divisional record for each *taluka*?—The Court Staff is arranged; the ordinary staff will perhaps be four Deputy Collectors and a Joint-Magistrate for five *tahsils* and there is a Court staff for each of those recognized officers, that staff being in charge of the records, they merely go over with the work.

30207. Do they always transfer the whole charge bodily?—That is generally done. The Court staff is not known as a sub-divisional staff.

30208. What is the pay of a Collector's head clerk here?—It varies from Rs. 100 to Rs. 200 or Rs. 250.

33209. There has been some complaint that in certain districts the establishments are not very efficient and that the Collector's work is added to by that fact; would you agree with that?—There is some truth in that; the staff of officers you get is not good because possibly the pay is not high enough.

30210. Is that true with regard to the whole province? Cannot you get men or is it that they are not sufficiently paid?—I do not think the service is attractive enough really. It is very difficult in a place like Allahabad, for instance, where you would think you might get them, to get good men.

30211. One way of helping a Collector, which would not be extremely expensive, would be to recognise his office?—To make it a little more attractive, yes. You cannot get men to work up from the bottom. We try to get men in as apprentices with the idea that they will learn their work, but the system is not altogether satisfactory.

30212. Do you help the Collectors freely with typewriters and shorthand writers?—No, shorthand writers are unknown at present except in the Secretariat.

30213. Is that because they cannot be had, or because they are not allowed?—They have never yet been provided, and nobody has ever asked for one.

30214. Has it been considered outside the range of practical politics?—I never had one myself.

30215. But would it not be of great assistance?—I am not sure that it would in regard to a Collector's work.

30216. (*Sir Frederic Lely.*) Does the Board of Revenue tour?—Yes, during practically the whole of the cold weather and part of the rains.

30217. Do the members tour by themselves or together?—Nearly always by themselves.

30218. Have they equipment?—Yes, it is a recognised thing.

30219. In the course of his proceedings does the Settlement Officer make numerous reports to the Settlement Commissioner?—They are made actually to the Board of Revenue except when there is a special Settlement Commissioner, who sends up the rent rate reports.

30220. Do they go through the Collectors?—No; they go straight to the Board as a rule, except when there is a Settlement Commissioner.

30221. What other reports are there?—Then there is the assessment report. The rent rate report explains the rates which are going to be adopted for the settlement and the assessment report discusses the results.

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30222. Has the Collector any knowledge of that?—He has no official opportunity of seeing it.

30223. Does the assessment report go through the Collector?—No, that goes straight to the Board; it is supposed to go through the Commissioner, but, as a matter of fact, the Board have told Commissioners not to deal with it.

30224. Is there any other report of importance which is sent up?—Those are the two main reports.

(*The witness withdrew.*)

Mr. A. W. TRETHEWY, I.C.S., was called and examined.

30225. (*Sir Frederic Lely.*) You appear in a double capacity, as late officiating Inspector-General of Police and as Deputy Commissioner of Fyzabad?—Yes.

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The Gazetted Officers of the Police Department are—one Inspector-General, four Deputy Inspectors-General (three of ranges and one of the Criminal Investigation Department and Railway Police), fifty-two Superintendents, forty-eight Assistant Superintendents and thirty-five Deputy Superintendents. Fifteen Deputy Superintendents have been appointed and two more are being appointed; the full number could not be appointed because money was not available.

The Inspector-General is the Head of the Police Department, but is not a Secretary to Government as in the Punjab. The Deputy Inspector-General is mainly an inspecting officer, but has considerable administrative powers. The Superintendent of Police is the Head of the police force of the district; all communications between Magistrates and the police force must be conveyed through him; all orders and instructions issued to the police must come from him. Assistant and Deputy Superintendents may do any of the Superintendent's work which he is not obliged by law or rules to do personally. The District Magistrate is the Head of the criminal administration of the district, and in that capacity controls and directs the action of the police. The Commissioner exercises a general power of supervision over the District Magistrates of his division in matters relating to the police as in other branches of the administration.

The Inspector-General's power of transferring money from one head of the Public Works department budget to another should be increased; at present he has the power to transfer money from the normal grant alone. He should have the power of transferring savings or lapses from the special grant also to any project which has been finally sanctioned. He should also have the power of transferring money from the Police budget to that of the Public Works Department. This would save numerous references to Government.

Appeals lie to the Local Government against orders of the Inspector-General and against orders of the Commissioner confirming the dismissal of sub-inspectors of the civil police. Appeals of the first kind should be retained. Original orders of the Inspector-General are rare and some provision for appeal must be made. I would abolish the appeal from the Commissioner's order by taking away from him the duty of confirming orders of dismissal except on appeal. Though according to the Police Regulations appeals lie to the Local Government only in the cases mentioned above, the Government reserves a general power of revision with reference to all orders. Applications for revision are frequent; there have been sixteen in the current year; they are nearly always fruitless and they must cost the applicants much money; they increase the work of the Inspector-General, for he often has to spend time in going through the papers a second time to give his opinion for the information of Government after having already disposed of an application for revision presented to himself. I would restrict them to cases in which the order is one of dismissal. I would not limit the power of Government to interfere, but only the right to apply for interference. It is open to question whether an application should be allowed against every order of dismissal. I am in favour of allowing it only when the applicant draws Rs. 50 or more as pay or has long enough service to be approaching the time of pension; perhaps twenty years is a proper minimum.

As regards appeals to the Head of the Department, no second appeal is allowed and no appeal is allowed in trifling cases. The Superintendent of Police and the District Magistrate should be empowered to dismiss a sub-inspector of the civil police without reporting the order to the Commissioner for confirmation. Paragraph 395 (*b*) of the Police Regulations should be widened to embrace an appeal against an order of dismissal. The Inspector-General has power to revise all orders except those of the Commissioner and District Magistrate, and these officers can pass orders only about sub-inspectors of the civil police. I would allow no right to apply for revision in cases in which no appeal is allowed, *e.g.*, an order for a black mark, nor would I concede the right in any case in which an appeal lies unless the punishment is dismissal.

The Commissioner has sufficient power over the police; he exercises it generally through the District Magistrate; he has special powers with reference to the punishment and the promotion of sub-inspectors of the civil police, rewards, and allocation.

Executive Officers have sufficient opportunities for personal contact with the people. Some Superintendents do not make full use of these opportunities, but obtain all their information from their subordinates and do little on tour besides inspecting stations. This is a personal question; it is difficult to compel an officer to do what he will not do of his own accord.

I do not think that the grant of larger powers to Superintendents will involve greater care in their selection. The additional powers with which they can be invested will call for the exercise of no more judgment than is required under existing conditions for carrying on the police administration of a district. Their position is already very important and responsible.

Transfers of officers are not unnecessarily frequent; with the increase of the Gazetted Staff they will become less frequent. They are generally due to leave; when there are more Assistant and Deputy Superintendents it will be easier to arrange for leave vacancies. The present rule is to allow the reserve inspector to hold charge of current duties up to six weeks if there is no Assistant or Deputy Superintendent on the spot.

It is the practice to apply demi-officially to the Chief Secretary for sanction to all proposals for the posting and leave of gazetted officers. The Inspector-General might have power to grant leave up to six weeks to Superintendents and officers of low rank, provided in the case of officers attached to a district that the District Magistrate agrees, and to make any arrangements with or without transfers that may be necessary to fill such leave vacancies. The posting of Assistant and Deputy Superintendents might also be left in the hands of the Inspector-General, or at least he might be allowed to submit notifications for insertion in the Gazette if approved without first obtaining sanction demi-officially. In practice Government very rarely negatives his proposals about Assistant and Deputy Superintendents.

30226. You acted as Inspector-General of Police for six months and then again after an interval, for a year, and then reverted?—Yes.

30227. Why did you revert?—Because I was only acting for Mr. Brereton who went on leave.

30228. Was that a change occurring in the ordinary course of service consequent on Mr. Brereton going on leave and coming back again?—Yes, it is quite unavoidable.

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30229. Has the Commissioner some power connected with the sub-inspectors?—Yes, and certain powers in departmental matter as to rewards, and so on, which mean very little really.

30230. Setting aside his relations to sub-inspectors, would it be correct to say that his connection is rather with the District Magistrate than with the police?—Just so.

30231. Is it proposed to do away with his connection with sub-inspectors?—No, only to alter the details of it, at least that is my personal proposal.

30232. Why is this single link retained between the Commissioner and the police?—The District Magistrate has a say in all questions of punishment of sub-inspectors only, because the sub-inspector is punished generally for something connected with an investigation, and the Magistrate has more judicial experience than a police officer.

30233. If that action is required in the case of sub-inspectors, ought it not to be extended?—No, I do not think so, because the charge which ordinarily comes up against the sub-inspector, *i.e.*, some charge of mismanaging an investigation or fabricating a false case is not often made against a head constable or a constable.

30234. Is not what you have said applicable also to an inspector?—Only the Inspector-General can punish an inspector.

30235. What is the reason why you give a Commissioner an interest in the sub-inspector and not in the inspector?—Because we think the appeal from the Magistrate's decision had better go to the Commissioner as the Magistrate's immediate superior.

30236. As a general principle, is it not a pity to departmentalize the police and to make them quite isolated from the whole of the rest of the administration of the country?—I do not think they are isolated in practice; the District Magistrate has a great deal of authority over them.

30237. Has he sufficient authority?—I think so.

30238. Is it not advisable to give the Commissioner any more interest in the efficiency and general conduct of the police?—I do not think so; the Commissioner has a good deal to do with the police as the superior of the District Magistrate, and he is in touch with all that is going on; a copy of the special report is sent to him in the case of every important crime.

30239. Does the Police Department expect assistance from the Commissioner?—Yes. As Inspector-General I should certainly ask the Commissioner's opinion about the police work in his division, and the annual report is sent to the Commissioner.

30240. As a matter of fact, during the year you occupied the post of Inspector-General, how many times, roughly, would you say you asked the opinion of the Commissioner on any point?—A great many times.

30241. You say that you do not think greater care is necessary in the selection of Superintendents—at what age does a man usually become a Superintendent of Police and begin to officiate permanently?—At about thirty.

30242. As a rule then a man receives permanent charge, whether officiating or otherwise, of a district rather earlier in his career than a Collector does?—It is a very difficult question to answer, because we are in a stage of transition; the period used to be about ten years, but now there will be a block.

30243. As a class are they equal in temper, education, and judgment to their position?—Yes, I think so, with some exceptions of course; since recruitment from England was started we have got some very good men.

30244. You suggest that the Police Superintendent should have power to punish chaukidars. Do you consider them separate from the stipendiary police, or are they still considered village police in this province?—They are half and half; theoretically they are simply village police, but as a matter of fact we depend on them for a great deal of police work.

30245. Is it not of importance to maintain that theory and translate it into practice as far as possible?—Certainly; but one of the most important duties of a chaukidar is to keep a watch on all bad characters, and you cannot get your information about bad characters otherwise than through the chaukidar, and whether he acts of his own accord or by the head-man it does not matter.

30246. But is it not better to maintain his character as a village servant?—I do not quite see how one can tell whether he is doing his duty or not, except through the police.

30247. Do you think, balancing the two, it would be a greater advantage to place the chaukidar under the Superintendent as practically a member of the stipendiary police?—I think so; I would give the Superintendent of Police power to dismiss a chaukidar; at present if a chaukidar does not do his work properly he has to send him to a Magistrate for dismissal, and the Magistrate can know very little about it.

30248. Could not the Sub-Divisional Officer deal with a matter of that sort?—Yes, he might, but if a Superintendent of Police sends a man up he ought to go to the District Magistrate because the Superintendent would not like being overruled by anybody else.

30249. Not by a First Class Magistrate even?—I think not.

30250. Surely that would be an ill-founded feeling?—I think not, from the point of view of discipline.

30251. Do you consider that the changes introduced as a consequence of the late Police Commission are advantageous?—I think so.

30252. Is the provincial Government being interfered with too much in the way of detail?—I think our rules as they stand now are all right. I drafted them myself, so perhaps I am not a good person to express an opinion upon them.

30253. Did you make them yourself, and not according to the models suggested?—Yes, I was on special duty for a year revising the Police Manual. First of all I acted as Inspector-General of Police, and then I was on duty for a year revising the Manual before acting the second time, and I framed the rules on the instructions received from the Government of India, which were very general. We discussed every point.

30254. Did they leave enough to the initiative of the provincial Government?—I think so. I understood the Government of India wished to divorce the Magistrate even more from the administration of the police, but we stood out for the District Magistrate's powers of punishing sub-inspectors. The Government of India wished the punishment of sub-inspectors to be left to the Superintendent.

30255. Then, to a certain extent you had your own way?—Yes. The rules as made are only provisional pending the receipt of the Police Manual from the Government of India; that is generally recognised.

30256. (*Sir Steyning Edgerley.*) Do the Government of India contemplate a general Manual for police?—Certainly, it is proposed, and I believe it is still under contemplation; if it has been dropped it has been dropped recently.

30257. Is the ordinary strength of a *tahsil* guard one head constable and four constables?—Yes.

30258. Are they recruited and relieved from the headquarters station reserve?—They are relieved from the headquarters station.

30259. Are they quite independent of the ordinary *tahsil* police; are they counted on their strength?—They are independent of the police in the stations of the *tahsils*. We recruit in the first instance for the police force as a body without any distinction between armed and civil police, and after a period of about two years we draft a constable to the branch for which he is considered more suited and determine whether he is to be an armed or a civil policeman.

30260. Do the rates of pay differ in the two branches?—No, they are the same.

30261. When a man is once drafted to the armed police, does he stay there?—Yes, unless he is moved back for a special reason.

30262. The *tahsil* guard being one head constable and four men, how many men do you put into the force to keep the guards supplied?—The armed police are used for many other purposes than *tahsil* guards. We make up the reserve for the whole force. We

calculate the requirements of a district, so many for guards, so many for escorts, and take a general average.

30263. In Allahabad you have 15 head constables and 62 constables allocated to fixed guards, and you said there are in the reserve a total of 25 head constables and 206 constables in addition; what other duties have the reserve beside guard duties?—Mainly escort duties for treasury and prisoners.

30264. You provide one head constable and four men for a *tahsil* guard, but you do not count that in making up your forces for relief as two head constables and eight men?—No, we count up all the duties which are required for the district and calculate our force accordingly. The word "reserve" is rather misleading; it should be "armed branch."

30265. If a guard is mounted at a *tahsil* treasury, have they to be always present?—One of them has to be on sentry-go always and they all have to be there on night duty, but in the guard room.

30266. Not during the day?—No, not during the day.

30267. Must there not always be a man on duty at the treasury?—There is simply a sentry over the treasury, *i.e.*, *tahsil* treasury.

30268. How do you arrange for the care of under-trial prisoners?—The police at the station have charge of them: under-trial prisoners at the station or on their way to the courts from the police station are under the charge of the station police. The escort to which I referred was mainly the escort from the jail to the court, or from one district to another.

30269. As a matter of practice do you very often use the chaukidars to escort prisoners into head-quarters?—Yes, to supplement the police guard.

30270. What is the pay of a chaukidar?—Rs. 3, or to be exact Rs. 2-13-0; for three annas are deducted for uniform.

30271. What percentage of married men are there in the police?—Most of them are married.

30272. Would it be correct to say that not more than 10 per cent. of the men have wives with them?—It is very difficult to answer that question.

30273. You say that all communications between Magistrates and the police force must be conveyed through the Superintendent?—Yes, that is the rule.

30274. Supposing a Magistrate gets a report of an investigation under the Criminal Procedure Code from a station officer, can he not send it direct?—Yes, but the practice is to send it through a police clerk; we do not carry out that rule strictly.

30275. Can you carry it out at all; is it not in contravention of the law?—Does the law say the Magistrate must communicate his orders direct? I pointed out to Government when I drafted the rule that the clause could not work in practice, but I do not think it causes serious inconvenience.

30276. You are now Deputy Commissioner at Fyzabad; have you for the municipality a non-official Chairman?—Yes.

30277. How is the system working?—I have not been at Fyzabad for two months, and I have been busy all the time dealing with famine, so I would rather not give an opinion.

30278. Has any difficulty so far come to your notice owing to that arrangement?—I have had to write to the Chairman on two or three occasions to press him to comply with some suggestions made by the Civil Surgeon.

30279. You say that you think District Officers' clerks are not so good as they might be; is your establishment seriously inefficient?—Yes, I think it is. I have had better establishments.

30280. Do you mean that the men are not good enough, or that they are not numerous enough?—The men are not good enough.

30281. What would be necessary to improve their efficiency sufficiently to prevent that being an obstacle to you?—Their pay and their prospects might be improved; their prospects are bad at present, and they have nothing to look forward to except a head clerkship; it is very rare that a head clerk is made a Deputy Collector, and the prospects are not sufficiently tempting.

30282. You say you think wider magisterial powers than they have at present might be given not only to tahsildars but also to Honorary Magistrates?—I think the appeals should be reduced. They might be allowed to pass non-appealable sentences in petty cases.

30283. Are most of the tahsildars fit to have second class powers?—I am not sure that they are. They may be fit for it, but the question is whether they would have time for it; tahsildars have a great deal to do.

30284. You have naib-tahsildars; have they any magisterial power at all?—None.

30285. What is their pay?—Rs. 50 to Rs. 100.

30286. Could they be given third class powers?—Some could, and we have given them revenue powers in order to relieve the tahsildar.

30237. Could you not give the tahsildar second class powers if you had a Third Class Magistrate on the spot, and would not that be a great convenience to the people?—It would be a convenience no doubt, because cases could be tried on the spot, but in my present district I do not think the tahsildar has time for it; there are only four *tahsils* and it is a big district.

30288. Are your *tahsils* too big?—In my present district they are too big for any increase of the tahsildar's work, but in my former districts I had more *tahsils* and the tahsildars did not work so hard.

30289. In your former district would it not have been a great convenience to the people if you had had a few more Magisterial Courts within their reach?—It certainly would have been a convenience in regard to police cases, but I do not know that I would give more facilities for litigation. A tahsildar, however, has third-class powers, and if you give him second-class powers it will not increase the amount of work much in the shape of cases based on complaint.

30290. (*Mr. Meyer.*) Are you aware that in Madras and Bombay the officers corresponding to naib-tahsidars and tahsildars habitually exercise third and second-class powers?—No.

30291. Other officers have told us that they want more Deputy Collectors and more Civilians. Before any such scheme is started, might it not be a good thing if some officers were deputed to visit Madras, Bombay, and Bengal to see how they manage things there?—That is rather a question for the Government.

30292. Suppose you were called upon to advise upon a scheme of decentralization, would you study what was done in other provinces, or would you be content to work out your own salvation locally?—It depends on how much time I was given for the purpose; if I had ample time I certainly should examine the system elsewhere.

30293. Might your Sub-Divisional Magistrates take criminal appeals?—Yes, some of them.

30294. If it is found that elsewhere they do take appeals as a matter of course and that in the United Provinces they are not allowed to do so, is it not a fair inference that either the United Provinces staff is inferior or that there is undue centralization?—I do not know what they are like in other places, and I do not know how they do their work or how far the scheme succeeds.

30295. Has your Treasury Officer other work to do besides the charge of the treasury?—Yes; he is a Deputy Collector. His other work depends on the district. If the treasury is a very big one he would do very little work besides treasury work, but he would have certain miscellaneous duties connected with records, stamps, copies, and so on, and he would also have judicial work in a district where the treasury work was not heavy.

30296. Does he take a sub-division, or is he simply employed as a sort of miscellaneous assistant to the Collector?—That again depends on the district; generally I would give him only special cases to deal with.

30297. Have your relations with the Director of Criminal Intelligence been satisfactory in this province?—Yes.

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30298. Have you had any reason to complain of undue interference?—Nothing serious during the last year.

30299. Have there been no reports called for from districts which the Local Government did not consider quite necessary?—In May and June, 1907, the Director called for a daily telegram from the Local Criminal Investigation Department as to the state of feeling in the province. This necessitated telegraphic reports from districts. Some exception was taken and it was soon discontinued.

30300. Are returns called for direct from your Criminal Intelligence Branch by the Director of Criminal Intelligence at Simla, or do they come through you?—They are called for direct, but I gave an order to the Deputy Inspector-General that he was to let me know of all correspondence that was initiated by the Director.

30301. So that you are informed?—Yes, of all general questions. He often asks questions about particular men for his own purposes, but I presume you are not referring to that.

30302. I am speaking of possible calls for information which lay a considerable amount of work on District Officers.—There was one instance when he wanted some particulars with regard to dacoity in order to see to what extent residents of Native States were concerned, and I said it was impossible to give him all the information at once, but he could get it from the *Criminal Intelligence Gazette*, and he gave way.

30303. Then have you found that when it has been pointed out to him that he is asking for something which would give a good deal of trouble without any proportionate amount of good, he has given it up?—Yes. I have had no trouble about it lately.

30304. Have you finished your police reorganization scheme in this province?—It is still under the consideration of the Secretary of State.

30305. Have you finished it as between the Government of India and the provincial Government?—I do not know what has happened during the last two months, but at the time I made over the charge of the police the position was that our proposals had gone to the Government of India, and had been forwarded to the Secretary of State with certain reservations of which we were not aware.

30306. It has been alleged in other provinces that there was a good deal of undue interference in matters of detail arising out of the re-organization. Has that been your experience?—We resisted on some points; we made our protests and we were tacitly allowed to do what we liked, and in the regulations that have been recently framed there are things which do not quite agree with the views of the Government of India.

30307. I am speaking more with regard to the establishment question?—For instance, we were pressed to give up some sub-inspectors of armed police, which we refused to do, and we have still kept them, but I do not know what orders the Secretary of State will pass about that. I believe that was one of the points on which the Government of India objected to our Scheme.

30308. Do you mean sub-inspectors of police as a general grade?—Yes.

30309. What did the Government of India want instead?—They thought sub-inspectors were not required, and that the reserve inspector would be able to do all the work.

30310. With respect to your proposals in particular districts and for civil police, did you have any interference?—They pressed us to have more inspectors; it was not that they were always cutting us down.

30311. On the whole have you reason to complain, or was it an amicable controversy which has been settled satisfactorily so far as you are concerned?—It has not been settled yet—that is the point. I do not know what the Secretary of State will say. So far we have made some concession and we are satisfied.

30312. What is your authority for stating that the Government of India intend issuing a general Police Manual?—I had it in correspondence with Sir Harold Stuart.

30313. What sort of ground will it mainly cover?—I do not think that is settled. The latest idea was to issue a manual of directions as to investigation work, but I am not quite certain.

30314. Is there any intention of having a sort of rigid code for all India in regard to police procedure, police appeals, and police promotions?—You can see it all in print; it is on the file of the Police Commission, and you will see it stated there that a general Police Manual is under contemplation.

30315. Was there not a general Act contemplated at that time?—Yes.

30316. And it has been dropped?—I am not quite sure about that.

30317. If you do not have a general Act is it intended to have a general manual?—I am not competent to give an opinion about this matter; all that I have heard has been demi-official or in conversation, and I do not know much about it; but I know it was contemplated.

30318. In the general instructions of 1905 issued by the Government of India was it not laid down that the District Magistrate should continue to be responsible for the peace and order of his district?—I cannot quote the words, but certainly the District Magistrate was mentioned in connection with the administration of the district.

30319. Was it not laid down that he should have power to direct inquiry into the misconduct of police officers?—It certainly was mentioned.

30320. Do your rules carry that out sufficiently?—Yes, I think so, because what happens in practice is that if the Superintendent will not take action where the Magistrate thinks action necessary, the Magistrate writes to the Deputy Inspector-General or the Inspector-General.

30321. But can the District Magistrate tell the District Superintendent to inquire into the conduct of an inspector in some particular district?—Yes.

30322. And would he have to do it?—He certainly would if it was referred to me, because I should tell him he would have to carry out the Magistrate's orders.

30323. As a rule would he carry out the order, or would the Magistrate have to come to you?—The Superintendent would always carry out the Magistrate's order in a case of that kind.

30324. Is not the position of an Inspector rather a responsible and important one with regard to the peace of a district?—The inspector fills an important position, but I do not know that I could say the preservation of the peace of a district has so much to do with him.

30325. Is it not so with regard to the prevention of crime?—Yes, that is his work.

30326. Is it not rather anomalous to give the District Magistrate considerable power in the matter of a sub-inspector while he has nothing to do with an inspector?—He has something to say with regard to his promotion, because he makes remarks; there is a statement with reference to inspectors with space for his remarks.

30327. Does he make a sort of confidential report every year?—It is not confidential; it is an ordinary report which goes from the Superintendent to the Magistrate. With punishments he has nothing to do.

30328. Are your inspectors normally promoted by seniority?—Yes. Very frequently the punishment papers of an inspector come through a Magistrate. Of course inspectors are not often punished, but I know of two cases in which inspectors have been punished and in both of them the Magistrate gave his opinion. I directed that his opinion should be taken in one case; he gave it of his own accord in the other.

30329. Do you make the promotions of inspectors?—Yes.

30330. Would you write to a Magistrate and say "A certain inspector is next for promotion, is there any reason why he should not be promoted"?—I should have before me the Magistrate's remarks on the last annual inspection.

30331. But that might be months ago?—I might, I should not ordinarily write to a Magistrate, but I might do so.

30332. (*Sir Steyning Edgerley.*) Has the question as to whether sub-inspectors of armed police should or should not be appointed to them to go to the Government of India?—It has gone to them and there has been some discussion about it.

30333. Is it a question the provincial Government cannot decide for itself?—We have always had sub-inspectors of armed police and we were asked to discontinue them.

30334. But it is not within your power to say that you are going to have such sub-inspectors because the Government of India claim the right to interfere?—Yes, I suppose they do; they urged us to give them up after the report of the Police Commission, but we protested, and I presume that the question is left in its original state.

30335. Do you not think the provincial Government might be allowed to decide for itself with regard to these particular men?—Certainly; if we lose our sub-inspectors of armed police we shall be very angry, no doubt.

30336. Are there any other matters in which you think your liberties have been curtailed, or in which you have not got enough independence?—Yes. After the report of the Police Commission came out two or three Resolutions were issued, and we were asked to do a good many things; and if we are eventually compelled to do everything that we are asked to do, then I should say our liberties are curtailed, but I do not know what the real intention is. The idea was to make the police force the same all over India but we said that what would suit other provinces would not suit us.

30337. Would the provincial Government have power to alter the scale of pay of the subordinate grades?—No, I do not think so, because that has been sanctioned; everything has gone up to the Secretary of State.

30338. Should they have that power?—Yes, if they can afford it.

30339. There is no objection on the score of absence of uniformity as between the various provinces?—There is a difference between the subordinate and the superior grades, and as to the subordinate grade I do not see any need of uniformity.

30340. In practice are very few of your policemen transferred from one province to another?—Very few.

30341. And your recruitment is more or less territorial?—Yes, we get a good many men from the Punjab.

30342. Taking those things into consideration you see no objection to having different scales of pay in the different provinces?—No, I see none; in fact there are different scales of pay already.

30343. Because of the local conditions?—Yes; in Burma, for instance, they pay more.

30344. Was the tendency of the Police Commission report to make scales of pay uniform?—It tended towards uniformity in every direction except where some special reason was shown for divergencies.

30345. Having seen their report and the reasons alleged in favour of uniformity, are you of opinion that it would be better that the provincial Government should be allowed to decide such matters as scales of pay?—Yes, I think so, but it is open to the Government of India to say "This is done in Madras and Bombay, might it not be done in the United Provinces?"

30346. But you think the ultimate decision should remain with yourselves on the ground that you are more likely than anybody else to know what is a reasonable pay to give in order to get the class of men you want?—Yes.

30347. Have you any other examples in mind where the control exercised by the Government of India seems to have been somewhat excessive?—It is hardly right to call it a control; it was an attempt to control. There were two or three points—one was as to punishment.

30348. Cannot you punish?—Yes, but as to the point put just now about the Magistrate punishing a sub-inspector, we certainly resisted the proposal to leave the punishment entirely to the Superintendent of Police. Then at some places we have two reserve inspectors and they wished to reduce the number and give us more sergeants instead.

30349. When once these reforms have been carried out and you have your new system will you be able to go on as you like, or will you still have to refer to the Government of India with regard to any new change?—That is a question I cannot answer because I do not know what will transpire between the Government of India and the Local Government. I hope we shall have perfect freedom, but it depends a great deal on the attitude of the Government of India.

30350. Assuming for the moment that the Government of India negative your proposals in regard to sub-inspectors, do you not think the probabilities are that having once assumed responsibility with regard to the reorganization of the force the Government of India are likely to retain it?—Yes, it depends a great deal on who is the member and who is the secretary; the tendency always is for the higher authority to stick to any power it gets.

30351. (*Mr. Dutt.*) Does the inspector take any part generally in directing investigation into particular criminal cases?—Yes, he directs investigation in important cases.

30352. In very important cases does he take up the investigation himself?—Occasionally, but not often; we discourage it as a rule. If the case is of sufficient importance he sometimes does.

30353. His main duty is that of a station officer and head of the force in the station?—No, the inspector has several stations under him. Under him there are sub-inspectors and he is the controlling officer. He has not much initiative; he is an inspector and his duty is to inspect and put things straight.

30354. But there are a certain number of sub-inspectors under him and his duty is to inspect the work of those sub-inspectors?—That is his main work.

30355. When the time comes for the promotion of an inspector according to seniority, is not the District Magistrate generally consulted?—I already have his remarks, and I should look at them; after doing that I should not consult him unless I thought it necessary.

30356. Is it desirable that the District Magistrate should be consulted when the time comes for an inspector to get his promotion?—It depends a good deal upon the circumstances of the case. The statement to which I referred reaches me in January, February, or March, and if the time for promotion occurs immediately I do not see the good of consulting the Magistrate because I have got his recent remarks. On the other hand, if the District Magistrate or sub-inspector has only just gone to the district there is no object at all in consulting the Magistrate.

30357. You would not make it a rule that the sanction of the Magistrate should be obtained before the inspector is promoted?—No, I would leave it as it is. The Deputy Inspector-General is almost always consulted, and he will have consulted the Magistrate.

30358. Do you recognise the Magistrate as the local Head of the criminal administration of his district?—Yes.

30359. In that capacity is it not desirable that his views should be taken upon every occasion on which an inspector gets promotion?—I should have no objection to it, and I think it is done whenever necessary.

30360. Would you have any objection to making that a rule?—No, except that it would cause a certain amount of unnecessary correspondence.

30361. Is there such a rule with regard to sub-inspectors?—The Magistrate and the Superintendent of Police arrange it among themselves, and if they differ the case goes up to the Commissioner.

30362. How is the pay of chaukidars raised?—It is paid from the rates imposed on villages, but I believe the provincial Government is taking it over.

30363. Is it not the idea that the chaukidar is a village servant?—Yes.

30364. Whose duty is it to enter the names of bad characters?—It is the duty of the police, but, of course, the Magistrate can give directions.

30365. Otherwise have the police power to enter the name of a man as a bad character and to keep watch over him afterwards?—Yes, it is the main duty of the police.

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30366. You do not require the Magistrate's sanction to entering the names of such characters?—No.

30367. Supposing a Magistrate, after enquiry, thought a man's name ought to be removed from the list of bad characters, has he power to pass an order to that effect?—The Superintendent would carry out his wishes; the Magistrate has not the power according to rule to do it, but the position of a Magistrate in this province is very strong indeed, and the Superintendent would always carry out his wishes.

30368. Therefore the Magistrate's control over the keeping of the records of bad characters is very feeble?—No, I do not think in practice it is at all feeble. If I, as District Magistrate, inspected a police station I should expect the Superintendent to carry out my wishes, and if he did not I should take the matter up.

30369. You would not give the Magistrate further power over the surveillance register and the action of the police in respect of these bad characters?—No, he has quite as much power as is necessary. I would not insist on his sanctioning the entry of every name because that would simply mean an increase of clerical work.

30370. I was referring to the specific case where a Magistrate was satisfied that a man's name had been wrongly entered in the list; has he power then to order its removal?—Practically he has.

30371. Is each *tahsil* practically a sub-division?—Yes, but it is not a sub-division in the sense that it is in Bengal. For instance in a district containing seven or eight *tahsils*, two *tahsils* may be under the same Magistrate, so that your sub-division is really two *tahsils*.

30372. Would you like to make two or three *tahsils* into a sub-division all over the province and then appoint a Sub-Divisional Officer to be in charge of one sub-division?—I do not know that it would be any advantage. Sometimes one wishes to alter the arrangement of *tahsils*, and I have often had occasion to do it; as a rule one tries to fit two *tahsils* which are similar in character together under one Sub-Divisional Officer, but owing to the exigencies of work or the number of officers one may have to break up the division.

30373. Would you not have a uniform rule as there is in Madras and Bengal fixing the limits of the sub-division and appointing an officer in charge of it?—No, on the whole it would be inconvenient. The Magistrate could do that himself, and if you make a uniform rule you tie his hands.

30374. (*Sir Frederic Lely.*) Did not the Government of India state its views in very great detail on the report of the Police Commission as to the numbers of the force as well as their pay, their uniform, the grades, and the duties of officers, and so on?—Yes.

30375. They even went so far as to lay down the exact percentage of head constables who should be promoted to be sub-inspectors?—They did.

30376. And even when they gave way to your views, was it at the cost of considerable trouble and labour in defending your views?—Yes, I did not happen to be Inspector-General on either of the two occasions, but I know there was a very hot discussion.

(*The witness withdrew.*)

MR. C. F. DE LA FOSSE, M.A., was called and examined.

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30377. (*Sir Frederic Lely.*) You are Director of Public Instruction in the United Provinces?—Yes, since a little over a year.

The Superior Service of the Education Department comprises the Indian Educational and the Provincial Services; the Subordinate Service includes all other posts paid from provincial funds.

Government Arts Colleges, of which there are only two, are under the Director. The Training College for teachers is also directly under him. The only Government high school in the province is the one attached to the Queen's College, Benares; all other high schools belong to District Boards or are under private management; the latter are either aided by District Boards or wholly maintained by fees, private subscriptions, and endowments. Middle and primary schools are similarly maintained and owned.

The department through its inspectorate controls the instruction in all schools which are allowed to present scholars at puplic examinations or are in receipt of aid, *i.e.* recognised schools. But the management of schools has lately been made over wholly to the control of District and Municipal Boards; though the departmental inspectors exercise a loose general supervision over the educational work of Boards, and are required, among other things, to see that the rules and orders contained in the Educational Code regarding the qualifications of teachers, furnishing reports and returns, courses of study, time tables, promotion of scholars, grants-in-aid, examinations, and text-books are observed, and to check the schedules of the educational budgets of District Boards. An important part of the duty of inspectors is to enquire into and decide upon the fitness of schools for recognition.

The departmental inspectors visit every recognised English school twice a year and as many vernacular schools as come in their way, and each has the general control of the educational work in a revenue division. They are assisted in the work of general supervision by assistant inspectors, who mainly concern themselves with the state of tuition in, and inspection of, vernacular schools and inspect the educational offices of District Boards. For the inspection of its vernacular schools a District Board maintains its own inspectorate, consisting of a deputy and sub-deputy inspectors, and the municipalities within the district usually make over their vernacular schools to the care of the District Board and its inspectors. Speaking generally, the position of the departmental inspectors is that of advisers to Boards and reporters to Government upon the state of education.

The Director is concerned with all forms of general education and at present with industrial as well. Upon the University he is Vice-President of the Syndicate and the mouthpiece of Government. The extent of his work there depends mainly upon whether as a fellow of the University he is prepared to take an active part in its affairs. As regards collegiate education he is chiefly concerned with the recommendation to Government of grants-in-aid either for maintenance or buildings. All plans and estimates are submitted for his approval. In the case of schools, with the sanction of Government he prescribes curricula, approves the use of text books, draws up inter-school rules and regulations, fixes fees, and lays down schemes of public examinations. His routine work consists chiefly in checking and directing the work of inspectors, examining the schemes for which a grant has been applied for and which involve an expenditure exceeding Rs. 1,000, making recommendations to Boards for the appointment, transfer, or promotion of teachers whose pay is not less than Rs. 80 a month, preparing and issuing lists of applicants approved for appointment as district inspecting officers, keeping up character rolls of such officers, and making specific recommendations to Boards for their promotion and transfer. Cases of disagreement between inspectors and Boards are sent up to him, and he is constantly consulted by Chairmen of Boards, Commissioners, and School Committees on educational questions affecting all classes of schools. During the cold weather he is regularly on tour and again for six weeks in the rainy season, visiting educational institutions of all kinds, discussing with Chairmen and Commissioners the state of education in their respective districts or divisions, receiving deputations of bodies interested in education, seeing the subordinate officers of the department, and meeting gentlemen, both European and Indian, who wish to talk over educational matters with him. The correspondence with Government, both official and demi-official, has grown a great deal of late years owing to the greater complexity of educational problems, and to the closer interest in education now taken by the Government of India since the appointment of a Director-General of Education. Indeed, a great deal of the Director's time is taken up in dealing with such references. Finally, there are annual and quinquennial reports on public instruction, and report on vernacular publications, and the tables of educational statistics which have to be periodically submitted.

The general lines of policy laid down in the Government of India's Resolution on Indian Educational

Policy issued on the 11th March 1904 are perfectly sound, and I have not found any reasons which would lead me into recommending a divergence from them. In the only instance in which we have directly departed from those lines, namely in abolishing a school final examination and accepting the University matriculation as a qualifying test for Government Service, we have since come round to the view that we were in error, and have of our own accord adopted the policy which we rejected. This case illustrates the freedom which Local Governments really enjoy in the application to local conditions of general lines of policy laid down by the Government of India.

Except in cases in which the Government of India has given grants for specific purposes, *e.g.*, the six-lakh grant, recurring, for primary education in 1905, it does not restrict the powers of Local Governments in the application of funds to educational purposes; and the freedom with which this Government introduced a new District Boards Act in 1906 and drew up rules under that Act for the purpose of taking the management of schools and their inspections out of the hands of the Education Department and placing them in the hands of District Boards would seem to argue that Local Governments have quite sufficient liberty in applying general lines of policy to local conditions.

Until lately there has been little tendency on the part of the Government of India to force its views upon Local Governments without consulting them, and to override local considerations. As an example of the right way in which the Government of India should deal with Local Governments, I instance the letters in which important Resolutions passed at the Conference of Directors at Simla in 1901 were commended to the attention of Local Governments. An instance of a less happy method would be the recent letter on making primary education free, in which the Government of India took upon itself, upon abstract grounds and ignoring local conditions, to deliver a judgment upon a complicated question, and after taking the public into its confidence called upon the Local Governments to say how they would propose to give effect to the Government of India's views. Local Governments should first be consulted before a decision upon an important question is arrived at, and before a public statement of policy is delivered.

The Director-General should not in matters of educational policy deal direct with departments administered by Local Governments. This is the view held by the Government of India; for except in regard to the collection of statistics or of information, the Director-General of Education does not correspond with the Director. When the creation of the appointment was in contemplation the Director-General of Education was required for the purpose of giving the Government of India expert advice upon educational questions, and this appears to be the function which he exercises. It is a fair inference perhaps from the nature of letters on educational matters received from the Government of India since the creation of the post that the Director-General of Education has assisted in, if not inspired, a good many of its letters to Local Governments on educational questions.

The appointment of a Director-General of Education has resulted in almost nothing but good; the Government of India has at hand an expert adviser; and the Directors of Public Instruction are now sure that schemes which go up through the Local Government to the Government of India will be scrutinized by an educationist in accordance with well-established educational principles, and the department in general has at headquarters an officer to look after its interests. Much benefit has been derived from the visits of the Director-General to the province. They have enabled me to put before him important aspects of cases which might otherwise have been overlooked when they came to be dealt with in the Government of India, and it is a distinct gain to be able to talk over educational questions with an outside expert with his different points of view. The creation of a Bureau of Education at Simla by the Director-General of Education has been of great assistance in enabling Educational Officers to keep themselves in touch with educational developments in other parts of the world. So long as the Director-General of Education confines himself to advising the Government of India, to collecting and disseminating educational information, and to visiting the provinces with the object of conferring with Local Governments and Directors and bringing himself into closer touch with local conditions, no exception can fairly be taken to the existence of the post; but the Government of India should, before acting upon his advice when this runs counter to the views of Local Governments, give the latter an opportunity of reconsidering the matter in the light of that advice.

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As an example of the need for so doing I would instance the Government of India's pronouncement that vernacular secondary schools were waning in popularity and that the standard therein was sinking, so that they ought to be classed as primary. A knowledge of the state of things existing in these provinces would have saved it from so unsafe a generalization. It is the reverse of true, and if acted upon would do harm to a class of schools which are doing very useful work, and which on all grounds it is desirable to encourage.

The initiative in reform has of late years come largely from the Government of India. On going through the reforms of the last five years, when writing the quinquennial report on education, I have been struck by the fact that nearly all those of first rate importance have had their origin in recommendations of the Educational Conference of Directors, called together at Simla in 1901. While the Local Government has since been busy systematizing education along the lines then laid down, or subsequently by the Government of India in connection therewith, it has by no means been idle itself in the matter of educational reform. I would instance its efforts to improve the conditions of service, its more liberal treatment of aided schools and the steps taken to make the teaching more efficient and practical. Without some controlling authority to secure a certain unity of aim and to act as a kind of central intelligence department, provincial Educational Departments might quickly slip into grooves; and the resultant divergences of practice might bring about a deplorable lowering of the standard of attainment, while persistence in the use of antiquated methods both of teaching and organization would be difficult to check.

The Director of Public Instruction might be entrusted with the power to appoint men over twenty-five years of age to teacherships (article 51 of the Civil Service Regulations). Special qualifications are required in a teacher, and a man who has already gained experience is likely to be superior to a raw recruit. Further, many graduates are deterred from joining the training college for teachers by the thought that they will be over twenty-five years of age before they can pass out of it. If the Director of Public Instruction without reference to Government could offer appointments to men over the age of twenty-five, there would be less reluctance upon the part of young men to enter the profession of teaching.

One Director has expressed himself in favour of the delegation to him by Government of the power to prescribe books and to appoint members to the Text-Book Committee. I have had a long experience of the work of the Text-Book Committee as its Secretary and non-official opinion, which is always jealous and suspicious of departmental influence, would not welcome such a change. Government should continue to exercise these powers. In practice no inconvenience results from its so doing. The Director might, however, in the case of a particular school be allowed to sanction the use of an alternative text-book to that prescribed if he were satisfied that it was at least equally suitable and good reasons were shown for discarding the prescribed book. The Text-Book Committee is not omniscient, and many excellent books escape its notice merely because they are not sent to it for review. Further, the experience gained in the particular school of the suitability of the book for class purposes would often be of great value in deciding the question of its fitness for general use.

I am not in favour of the curtailment of the right of appeal, believing that it is in the eyes of the people one of the bulwarks of British justice. The right to appeal to the highest authority has the sanction of immemorial custom, and the curtailment of the right would cause much dissatisfaction.

I have no fault to find with the treatment of educational matters by the Provincial Secretariat since I have been Director. If any objection has been raised in the Secretariat to a proposal, or if a scheme has not been fully understood, I have invariably been consulted or asked for further explanation before orders

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have been passed, and action in an important matter should not be taken before so doing. Important measures have sometimes been initiated in the Secretariat and carried through without consulting the Director, such as the chapter on education in the present District Board Manual. Though my predecessor disagreed *in toto* with the revolutionary changes made therein, they were ultimately embodied in the form of rules without consulting him. The whole subject was regarded solely from the stand-point of the Local Self-Government department, and educational considerations were brushed aside to give full scope to its doctrinaire views.

All grades of schools managed by municipalities in these provinces are notoriously inefficient. In one or two instances the state of municipal schools has been publicly denounced as scandalous. The larger municipalities are in this respect no better than the smaller. So little real interest is taken in the matter by Municipal Commissioners that it has recently been necessary to advise them to make over their schools to the control of District Boards. Municipalities are very reluctant to spend money on education. Sir A. P. MacDonnell expected them to spend 5 per cent. of their income on it, but Government has lately had again to comment upon their failure to do so and to call their attention to the inadequacy of the supply of primary schools within municipal limits, and it has now been ruled that their first duty is to make sufficient provision for primary education, before undertaking to maintain or assist secondary education, and that, unless specially exempted by Government, they must spend 5 per cent. of their income upon education. The provision of primary education in large towns is still very insufficient and in point of efficiency the education given therein is much below the general standard. The two chief causes of the inefficiency of their schools are low scale of pay of teachers and the wretchedness of the buildings and equipment in furniture and apparatus. Municipal Commissioners are said to use their schools for finding places for dependants and relations. I have known such cases; but while they continue to pay teachers at less than a living wage they are not likely to secure qualified men in the open market, so that they may have to take what men they can get. Since municipalities have proved that they cannot be trusted with the management of schools, it would be as well that they should make over their schools to District Boards and pay to the latter a contribution for their upkeep. I am glad to say that many have agreed to do so.

Under the District Boards Act of 1906 each District Board is responsible for the maintenance of all the public schools of its district, and is responsible also for making grants-in-aid to schools in the district. It is also required to entertain inspecting officers for the inspection of its vernacular schools and to direct them in the management and inspection of schools. Even training schools for primary school teachers are now under the complete control and management of Boards. To prevent the interference of the Education Department with the control exercised by Boards, no departmental officer is allowed to correspond direct with a head master, a teacher, or inspecting officer employed by the Board, except upon a few trifling routine matters. Decentralization in education has in these provinces reached its extremest limits.

Occasion was taken upon an important letter from the Government of India on the subject of the improvement of secondary education to call together in June 1907 a committee representing the Educational Department, Chairman of District Boards, Mission schools, and non-official Indian opinion to review the whole subject of secondary education. This Committee resolved unanimously that every District Board high school at headquarters should be converted into a Government high school, and that the control of grants-in-aid to English high schools should be resumed by Government. With the experience gained of the new District Boards Act the committee found that the prospects of the teacher had been adversely effected and discontent, affecting recruitment, had already resulted; that District Boards were inclined to provide only the bare requirements of local needs and paid little or no consideration to the general interests of the province; and that they were not fitted to deal with educational matters in regard to which expert guidance was indispensable. In regard to aided schools they found much the same reasons for recommending the resumption by Government of the control of grants-in-aid as those for its taking back the management of Boards' high schools, but in addition they pointed out that aided schools, particularly those maintained by Missions, strongly objected to being placed at the mercy of the Boards in such a vital matter as that of their financial stability. The decision of Government to give effect to these recommendations has not given rise to a single protest, but has, on the contrary, been universally accepted as wise and necessary by all classes of the people, and by all ranks of the teaching profession.

Each district is, so far as vernacular education is concerned, a water-tight compartment, and teachers do not usually look beyond its borders for promotion. The organization of vernacular education is in fact district-wise and its expansion is a local problem. The question is not who should manage the schools, for that has been decided in favour of the Boards, and as I believe rightly, but what should be the agency employed by the District Board for managing vernacular schools. The Collector of the district, as Chairman of the District Board, cannot give sufficient time to it; the Secretary is usually a Deputy Collector with no educational experience nor training and a multitude of other duties to perform, while the members of the Board are too scattered over the district and as a rule for the most part unequal to dealing with any educational problems but the simplest. Inspecting officers' suggestions remain unheeded for months or sometimes altogether; salaries are paid late, books and furniture are supplied only after repeated requisitions, and the repairs are carried out in a dilatory manner. If the control of vernacular education by the Boards is to become a reality it seems to me that a whole-time paid Secretary of the Board is necessary, to carry on the large amount of office work and to dispose of all recommendations made by the district inspecting staff with regard to those schools.

It was a grave mistake to make over the inspection of vernacular schools to the direction of Boards. There is practically no direction whatever of an expert kind exercised, and the district inspecting staff has ceased to be the eyes and ears of the Educational Department as to the state of education in the district. The department has no means of knowing how the acts and orders of Government and the rules of the Education Code are being observed in regard to vernacular education. Free and independent criticism is impossible when a district inspecting officer knows that by commenting adversely upon the protégé of a member of the Board he may make for himself influential enemies among those whom he serves. The restoration of the control of district inspecting officers to the department is an urgent necessity, and it is certain that the state of vernacular education is deteriorating under the present system. If the school was placed under the village communities the security of the teacher would depend upon his securing the support of the stronger party in the village, and the school would become a question of village politics. We are trying the experiment of village School Committees to report on the building, the furniture, the attendance of the scholars, and generally the externals of school life, but no one who knows the villager would desire to see him associated in the management of the school. In these provinces, at any rate, he certainly is not fit for it.

It needs to be impressed upon the Accounts Department that it exists for the sake of other departments, and that their convenience is to be preferred to its own. For instance:—to save the office of the Accountant-General trouble I have been called upon to submit a consolidated absentee statement monthly for the staffs of all schools of a particular class. Though I have pointed out that more than two-thirds of the teachers concerned are under the inspectors of schools, who dispose of their leave cases without reference to me, I am told that I should submit the statement and that "It should be a simple matter" for my office to undertake the work. To collect the information is a simple matter no doubt, but it will take a good deal of time and employ a clerk who cannot well be spared from his legitimate duties. Moreover, the Accounts Department can collect it just as easily as I can and I do not need the information, while it does apparently. This is typical of the attitude of the Accounts Department. It is from the very nature of its work not a very popular department, but it is apt to go out of its way to offend by the curtness with which, from its

position of independence, it is accustomed to treat argument or remonstrance from its victims.

30378. Have high schools now been made over to Government?—They will come under Government on the 1st April, that is, from the beginning of the new financial year. The high schools at the headquarters of each district will then be maintained by Government and paid for out of provincial revenues; the majority of the rest are aided schools and they will get aid out of provincial instead of local revenues.

30379. In whom is the management of aided schools vested?—It is usually vested in an individual and in a few cases it is in the hands of a committee.

30380. Have District Boards anything to do with high schools?—Yes, at present they aid them. From the 1st April the District Boards will have very little to do with English education.

30381. Will they have anything to do with high schools at all?—They will have one or two of their own schools still, but those will be mainly middle schools.

30382. Are there many middle class schools?—There are not many.

30383. With regard to primary schools you say that departmental inspectors are assisted in the work of general education by assistant inspectors, and later on you refer to the inspector of the District Board; do you mean that primary schools are examined or inspected by two classes of inspectors?—The system is that there is a divisional inspector who is a departmental officer, and he is assisted in the work of control by an assistant inspector, but the actual work of the inspection of vernacular schools is carried out by the staff of the District Boards under the somewhat loose supervision of the divisional inspector and his assistants.

30384. There are no departmental inspectors below the assistant inspector then?—No.

30385. The assistant inspector is engaged in the work of generally supervising district primary schools, but the main work of inspecting them is done by the District Board servants?—Yes, almost wholly.

30386. Who has the right of appointing and dismissing masters in district schools?—The District Board have full power of appointing and dismissing.

30387. What security is there that the masters have had any training fitting them for their work?—Under the Code the District Board are required to give preference to men who have undergone a course of training and who have passed what is called a final vernacular examination. A list is kept of qualified men and the District Board make their own selections from it.

30388. Are all the primary schoolmasters borne on that list?—They are all borne on that list.

30389. But have they all been selected from a list of trained men?—No, a very large number are not trained men, but that is due to the fact that we have not at present sufficient trained men for all the appointments. The District Board usually prefer a trained man if they can get him.

30390. Who decides as to the locality of a school?—The District Board.

30391. Do they also fix the fees?—Yes.

30392. In fact the entire management of the primary schools is under the District Board, subject to the general supervision of the two members of your department?—Yes, that is the system.

30393. What is your opinion of that system as a whole?—My opinion is that the district inspecting staff does not get sufficient expert control; the District Board is not able to exercise an expert control over their work and to guide them as to the best methods of inspections, or to see that they carry out their touring arrangements in a proper way. It would be better that the department should have a more close control over the work of the subordinate inspecting staff.

30394. Who exercises the supervisional powers of the District Board?—Nominally the Chairman.

30395. And really?—In reality, I am afraid, very often nobody.

30396. You speak of one of your duties as being the making of recommendations to the Board for the appointment, transfer, or promotion of teachers whose pay is not less than Rs. 80 a month; are there men drawing so much as that in the employ of the District Boards?—Yes; in the high schools which are to be made over to the department.

30397. Will any English schools remain under the District Boards after the 1st April?—Yes, a few middle schools.

30398. What arrangements will be made for their management?—They will be managed in exactly the same way as the high schools are managed at present; the District Boards will make the appointments of teachers and fix the scale of salaries, and will in every way have complete control.

30399. Is that a good arrangement?—There are so few of those schools that it is not necessary to make any changes in the rules for their sake.

30400. Then you say that there has been little tendency on the part of the Government of India to force its views on the Local Government lately; do you imply that there has been a change of policy recently?—Lately I have noticed that there is a tendency for the Government of India to declare its policy before it has consulted the Lieutenant-Governor. It has done so on one or two occasions.

30401. Do you think that rather forbodes a change of policy?—I do not know, I merely state it as a fact.

30402. Is there such a thing as a conscience clause in Mission schools in the United Provinces?—No.

30403. Have the Government of India ever tried to get you to introduce one?—No.

30404. In European schools is there a conscience clause?—The European schools are at liberty, if they choose, to adopt a conscience clause, but we do not enforce one. A diocesan school might perhaps desire to have a conscience clause, but, as a matter of fact, they admit students of all kinds.

30405. You say that the Director-General should not in the matter of educational policy deal direct with the department administered by the Local Governments; do you mean that they should not communicate with them?—Yes.

30406. Should they not write even demi-officially to the Local Directors?—I do not object to demi-official correspondence on a purely educational question; the Director-General might be allowed to obtain opinions on a point of that kind, but with regard to the administration of the province, it is undesirable he should correspond direct.

30407. You say that municipalities do not show very much interest in the matter of schools, do you mean primary schools?—Yes.

30408. Do they exhibit a tendency to encourage secondary schools at the expense of primary schools?—A few have exhibited that tendency, but the majority of municipalities take very little interest in education at all.

30409. You say that some arrangement has been lately made by which they have made over their schools to the District Boards; do they retain no connection at all with their own schools?—Under the new arrangement they will pay for the schools, but the District Boards will manage them for them. The deputy inspector, who is the inspecting officer of the District Board, will inspect municipal schools and make his recommendations with regard to them to the District Board, who will carry out those recommendations or not, as they please, but the municipality will simply contribute a sum of money for maintenance, and take no further interest in them.

30410. In the existing state of things, does a municipal school have a committee attached to it?—No.

30411. Not even a *visiting* committee?—No; the member for the part of the city in which the school is situated is supposed to inspect the school and to visit it and report on it, but he seldom does so, in fact almost never.

30412. This new move seems to be an abandonment by the municipalities of one of their chief duties?—Yes, I think it is so.

30413. Is that entirely spontaneous on their part?—I think most of them would be quite willing to make over the charge of their schools to the District

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Boards, who possess an organization for the inspection of schools, because they recognise that the District Board is better able to look after them than they are.

30414. Is that the only reason?—It is the chief reason.

30415. If there was an inspectorate of Government officers at the command of municipalities, would they be quite willing to hand the schools over to them?—I could not say.

30416. At any rate they have practically abandoned their schools, the chief reason being that they are not able to obtain a sufficient inspecting agency?—Yes. I may say that some of them have not abandoned them; for instance, Benares, who has now an inspecting agency of its own.

30417. You are against entrusting villages with any power over village schools on account of the factions, but are there not some villages in which there are no factions?—But there is always a danger of faction.

30418. You admit it is very important to give parents as much direct interest as possible in schools?—Yes.

30419. What would you say to trying an experiment and taking a few selected villages where it would be most likely to succeed?—We already have village school committees in some districts; those committees inspect the schools and make recommendations to inspectors with regard to the state of the buildings and sometimes even with regard to the capacity of the teachers, and they occasionally make useful suggestions, but I would not put any power into their hands; I would keep them simply as advisory committees.

30420. Would you not give them any power even as an experiment?—No.

30421. Do you not recognise that people are not likely to take an interest in such things unless they have some power?—In this province we are very backward with regard to education, and the majority of the villagers are illiterate and not in a position to form a fair judgment with regard to the teachers' work, so that I think the time has not yet arrived for putting any power into their hands.

30422. (*Mr. Hitchens.*) Do the Government of India interfere very little with this provincial Government in matters of educational policy?—Very little.

30423. Is the chief control in regard to financial matters?—We have our educational budget up to which we work; when it is not sufficient we ask for more, and if the Government of India is able to give us more money it does so.

30424. Supposing, for example, you wanted to build a college, would you have to get the consent of the Government of India if the cost exceeded a given sum?—If the maintenance exceeded Rs. 50,000 we should have to go to the Government of India; with regard to building we could build without going to the Government of India, if the sum did not exceed 2½ lakhs.

30425. Then would they enquire into the whole scheme in great detail?—I have had no experience of a case of that kind, but I presume they would do so.

30426. Would it give them an opportunity of interfering with the educational policy?—I do not think they could interfere with the educational policy by that means.

30427. They might say that you had better not spend the money on a college, but preferably on primary education?—If we sent up a definite scheme to them they might throw it out, but I do not think they would suggest in what other way we should use the money.

30428. Does the Government of India give you a certain specific grant each year to be spent on primary education?—They gave us a few years ago a grant of six lakhs to be spent strictly on primary education—that is the only instance in my recollection in which the Government of India have laid down clearly on what the money was to be expended.

30429. Do you still get that?—Yes.

30430. And you may spend it in any way you like on primary education?—Yes.

30431. Do you provide much of the expenditure of the District Boards on primary education?—A good deal of those six lakhs have been already absorbed in District Board expenditure. When distributing it we fixed certain headings of expenditure upon primary education, for which we thought more money was required, and allotted to each District Board a sum to be spent accordingly. In that way the money has been almost entirely absorbed in the recurring expenditure of the District Boards.

30432. Was it allotted rather in accordance with the requirements of each individual Board than in accordance with a fixed principle?—Yes, the scheme was worked out in the office of the Director. I myself was Assistant Director at the time and it fell to me to work it out.

30433. Has the principle never been adopted of making a *per capita* contribution?—As a matter of fact in working it out that principle was adopted to a large extent; but the financial position of the Boards had also to be considered, for some of the Boards were very much worse off than others, and some had more income than they required and therefore they did not want so much money.

30434. Can you say what relation the provincial Government grant bears to the expenditure of the District Boards?—It is difficult to work out. The revenue of certain Boards is insufficient for their purpose, and the deficit is made up by the Government.

30435. Are the Boards required to spend a fixed amount upon education, or can they allot as much or as little, as they like?—Yes; it is left to the Boards to say how much they wish to spend on education; but of course, if they attempt to reduce their expenditure, the department would protest. The budgets of the Boards are submitted to the department.

30436. Do you, broadly speaking, confine yourself in supervising the budget, to seeing that they do not spend less?—As a rule we require them to spend more, and they usually do so.

30437. Are your protests effectual?—I have only made one futile protest, and as a rule they willingly spend money on education.

30438. Do you imply that District Boards take an interest in education but that municipalities do not?—The District Boards do take some interest in vernacular education and, as a whole, an intelligent interest, but in the case of municipalities there is little or no interest taken.

30439. You gave us one reason that the District Boards had more efficient means of control and supervision—are there any other reasons that occur to you?—I cannot answer that question offhand.

30440. You would agree generally that it is a matter of great importance that the municipalities should interest themselves in education and that everything that could be done should be done in order to bring that about?—Yes, certainly; I should be very glad indeed to see the municipalities take more interest than they do.

30441. Therefore do you view with regret to some extent the transfer of the schools to the District Boards?—Not under existing circumstances, because of the extreme inefficiency of vernacular education in the municipalities. The only hope for any improvement is to make the schools over to the District Boards, which have proper organization for control and inspection.

30442. Is one of the reasons why education is not successful possibly because municipalities have not enough money?—I do not think they take any interest in education. The members who are elected on municipalities have so many other interests which absorb their attention that they are unwilling to spend time in studying education; they are mostly business men, probably far more busy than the non-official members of the District Boards.

30443. Did you give them a contribution on the same scale as you did to District Boards?—We did, and they used the money, but the state of their schools is still very unsatisfactory.

30444. (*Mr. Dutt.*) Are officers of the Indian Educational Service generally recruited in England?—They are all recruited in England.

30445. Are officers of the Provincial Service recruited in this country?—They are recruited by the Local Government.

30446. Are all orders with regard to posting, transferring, and promotion passed by the Local Government?—Yes, in the case of the Superior Service.

30447. Do you suggest any change in the rules with regard to that matter?—No, I find no difficulty; I make my recommendations to the Local Government and they are generally accepted.

30448. Then there is the Subordinate Service which includes all other posts paid from provincial funds—what are these posts generally?—They would be for example head-masterships of normal schools and teachers in normal schools.

30449. The inspection of primary schools under the District Boards is now carried on by the staff of the District Boards themselves; of what does that staff consist?—It consists of a deputy inspector and a number of sub-inspectors according to the size of a district; we usually give one inspecting officer for 70 schools.

30450. Has each District Board a deputy inspector and a number of sub-inspectors who are Government subordinates?—No, they are District Board servants.

30451. Are their services pensionable?—Yes.

30452. Do the Local Boards contribute towards the pension fund?—Yes.

30453. Who has the power to appoint, promote and punish them?—That lies with the District Board.

30454. Has the Education Department no power over them?—The Education Department makes recommendations, and the District Board as a rule accepts them.

30455. But still the final power lies with the District Board?—Yes.

30456. What is the pay of the inspectors employed by District Boards?—From Rs. 100 to Rs. 160.

30457. What do the sub-inspectors get?—From Rs. 50 as a probationary grade for two years, and the permanent men from Rs. 60 to Rs. 80.

30458. In the first place there is your departmental staff of inspectors and assistant inspectors and then the staff employed by the District Boards?—Yes.

30459. You say that the Boards themselves take an interest in primary education; what fault have you to find with their system of inspection?—That there is no one who has the time to look after the touring arrangements of the officers, so that they are at liberty to arrange their tours according to their own convenience rather than in the interests of the public service. Then their inspection reports are submitted to a member of the District Board who, although he may take an interest in education, is not an expert and is not able to examine those reports in the way in which they should be examined.

30460. Might not the Collector, as Chairman of the District Board, be trusted to do all these things and see that the staff do inspect in a proper way?—The Collector is too busy.

30461. We have had some evidence that purely departmental control and supervision and management of these primary schools has sometimes the effect of rather strangling them, and that it would be best if they were kept under the management of the District Boards?—That is my opinion too in regard to the management of vernacular schools.

30462. Then you do not object to the management being in the hands of the District Boards?—I think it essential.

30463. You think that something more ought to be done in the way of proper inspection?—I would put it in this way; in England the elementary schools are in charge of the County Council, but the inspection is arranged by the Board of Education by means of His Majesty's inspectors and that, I think, is the right system; the inspecting staff should not be the servants of the District Board, but should be officers of the Education Department, so that it can get expert guidance.

30464. Do not your inspectors and assistant inspectors correspond to His Majesty's inspectors in England to some extent?—Certainly not; they would correspond to the chief inspector, not to the district inspector.

30465. Could you not lay down general instructions for inspection under which servants of the District Board would be able efficiently to inspect these schools which are after all only primary schools?—The point is that there is no one to supervise their work under the present system. It would not be merely sufficient to lay down rules; those are already laid down in the Code; what we want to see is that the rules are carried out in practice and that inspections are conducted carefully and thoroughly and according to the best methods.

30466. Is your opinion formed on your own personal observations, or on the reports of your officers?—Both.

30467. Some evidence has been given that in some municipalities there is a sub-committee whose duty it is mainly to inspect the schools within the municipality; are you aware of the existence of these sub-committees?—Yes.

30468. Do you find that such a sub-committee, where it exists, does take some interest in the primary schools?—It takes no steady interest in them; its interest is rather spasmodic and the method of inspection is rather perfunctory. The inspection of an ordinary Municipal Commissioner is not of the right kind.

30469. So far as primary education is concerned is a very technical inspection necessary, or even desirable?—A primary school inspection is quite as technical as that of a higher school.

30470. And an ordinary inspection by a layman would not be sufficient?—It would not be sufficient because the technique for teaching small children is probably more developed than that for teaching in higher classes, so that it is quite as difficult, if not more difficult, to estimate the efficiency of the teaching of small children as to judge the work in higher classes.

30471. Then would it come to this, that in all schools, high or low, primary or secondary, the inspecting staff must be a trained educational staff and that you cannot trust the work to laymen at all?—Yes, that is my point. It is highly expert work.

30472. Are not District Officers the Chairmen of municipalities?—Usually they are.

30473. Might they not be entrusted to see that the primary schools in a town are properly managed?—They have not the time to do it.

30474. (*Sir Steyning Edgerley.*) Where do you obtain your information from to make your recommendations relating to teachers and district inspecting officers?—From the inspector of schools, and also from the confidential reports sent to me by Chairmen.

30475. Does not the promotion of District Board inspectors depend upon your recommendations?—Yes, we certainly in all instances make the recommendations ourselves.

30476. Supposing their reports came either through your assistant or divisional inspector to the Board, would not that considerably improve the position, because it then would go on with your expert remarks?—The inspector of the division does not report direct to me in the case of vernacular schools.

30477.—Is not the deputy inspector the head of the Local Board establishment?—Yes.

30478. He and his subordinates when they inspect report direct to the District Board?—Yes.

30479. Supposing they sent their report through your inspecting establishment, would not that supply the element of expert criticism which you want?—To a certain extent it would. It is certainly important that we should bring the higher officers of the department into closer relation with the subordinate officers, but I do not think it would be sufficient for proper control.

30480. Have you training schools for primary school masters?—Yes.

30481. Are they departmental?—No, they belong to the District Boards. We have normal schools for training secondary vernacular teachers; those are departmental schools.

30482. Because the masters are departmental?—No, the masters are deputed from the schools by the

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different District Boards who send them there; after they are trained, they return to the Board which sent them.

30483. How many primary training schools are there in the province?—There are one or two training classes in each district and there are in addition six normal school for secondary teachers.

30484. Is that an efficient arrangement?—It is certainly better than nothing.

30485. But could not the Boards agree to co-operate and have one or two central institutions?—In the case of the training of primary teachers the theory is not so important as the practice, and in order that they may get plenty of practice it is necessary that they should have two or three hours a day actual teaching so as to acquire a good technique, and to get that is difficult at a central institution with its large numbers because there can only be a very few practising lessons going on in any one school at a time.

30486. With regard to the proper functions of the Director-General, would you suggest helping local officers with advice?—I think that the Director-General of Education should not interfere, but he might discuss matters with them.

30487. But they would learn from him as much as he would learn from them?—Probably.

30488. In cases where in advising the Government of India he differed at all seriously from the Local Government should the Local Government see a case again, as a matter of course, before it is disposed of?—I think so.

30489. Was this statement made by the Government of India that vernacular schools "were waning in popularity" made subsequent to the appointment of the Director-General?—Yes.

30490. After the Director-General had time to make himself acquainted with the province?—The Director-General is hardly in a position to make himself acquainted with the details of the province.

30491. Had he been on tour before that statement was made?—He had.

30492. Do you look upon that statement as quite an accurate description of the position of affairs in the province?—I merely quote it as an instance to illustrate my point.

30493. Would you like to be able to appoint men of over 25 years of age to teacherships without any further limit, or within any further limit?—I have not considered that point, but perhaps the limit might be raised to 35.

30494. Is the Manual of Government Orders in regard to which you suggest certain alterations within the discretion and control of the Local Government?—Yes.

30495. So that you can go to the Local Government yourself about it?—Quite so.

30496. With regard to the matter of the chapter on education in the present District Board Manual, was that written when the new Local Board Act was passed?—Yes.

30497. In order to enable a District Board to do the educational work should they have a paid Secretary?—Yes, that is very important.

30498. As to your allusion to the Accounts Department, do you find that the audit is very vexatious?—No, as a principle whenever the Accounts Department requires information which it can as easily collect itself as the Head of a Department, and for which it has use and for which he has none, the Accounts Department might relieve him of the trouble of collecting it for it.

30499. Subject to the question of returns is the audit excessive?—No, not in my department.

30500. (*Mr. Meyer.*) In the particular matter as to accounts to which you have drawn attention, did you go up to the Local Government?—I have not done so. I may, hereafter; as a matter of fact the discussion of the point is still proceeding.

30501. Speaking generally, in a matter which is not regulated by any Imperial Code or any Imperial Order, is it not always open to the Head of a Department to go to the Local Government as against an order of the Accountant-General?—It is.

30502. As regards the Director-General of Education, you say when he advises counter to the views of a Local Government his opinion should be communicated to the Local Government, but would it not be better for the Local Government to consult him in the first instance?—It would all depend upon the question.

30503. Supposing you were sending up some educational scheme which required the sanction of the Government of India, would you, by reason either of its financial importance or of its involving some new principle, consider that it would be advisable to ask the Director-General of Education what he thought of the matter?—No, I think not. The Local Government having, in consultation with its Director, decided that a certain matter is important sends it up to the Government of India, not in the expectation that it will be criticised adversely, and I think it is right for the Local Government to form its judgment on local grounds in consultation with its Director of Public Instruction and leave it to the Government of India afterwards if it thinks necessary, on the advice of its expert advisers, to make its criticisms; it would hamper business a very great deal if, in every instance of that kind correspondence took place with the Government of India before anything was done.

30504. I do not say that it should be a regular practice, but in the case of some important scheme which involved a new departure on educational matters would you say that the Director of Public Instruction is to be regarded as final in the province?—I think so; in regard to the Local Government the Director of Public Instruction is their adviser, the Director of Education is the officer of the Government of India and he represents their views.

30505. Has he nothing to do with the Local Government?—He has nothing to do with local questions until they come up to the Government of India. The Director of Public Instruction should be regarded as the servant of the Local Government to assist in drawing up its schemes, and the Director-General of Education should advise the Government of India in regard to those schemes in so far as they required the sanction of the Government of India.

30506. Then why do you want a scheme sent back when the Director-General has advised?—Because it may be that there is a point on which local knowledge is important, and the Director-General, if he had possessed that knowledge, might have taken another view.

30507. Is it not possible in this province that it might be advisable to borrow the experience of your neighbours?—Yes, we do; as a matter of fact we have the circulars of all the other provinces; all important circulars are sent to us and we borrow largely from the experience of other provinces.

30508. On paper?—Yes.

30509. Would you not regard it as an advantage to have an officer going round who has been able to see how the thing is worked with his own eyes?—I think that would be an advantage.

30510. That being so, might the Director-General not be able to advise the Local Government and say "This is the sort of thing which was done in Madras and it failed for this reason," or "What you propose seems to me very good"?—I think there would be a danger in that; the Director-General of Education cannot know the different circumstances of each province so intimately as to be able to say because a scheme has failed in Madras it would therefore fail in the United Provinces.

30511. Until lately was not the whole system of education run by the Public Instruction Department here?—No, that it is not quite so. In regard to English schools at headquarters, the Department used to have the control of them largely, not entirely, but in regard to vernacular and primary education the District Boards have always had the administration in their hands.

30512. Had they the control always?—Yes, they have had; inspectors merely advised the Board and made recommendations.

30513. So that what you advocate is a return to the *status quo ante* of three years ago?—No, it is not quite that; what I advocate is something different; the district high schools should be handed over to the charge of the department and the inspecting staff

should consist entirely of Educational Officers, but the Board should continue to have charge of vernacular education.

30514. Do you mean the *zilla* English schools?—Yes.

30515. Then you desire, as far as the department is concerned, to centralize more than was the case some years ago because you want to take over the inspecting department?—Yes, but in that direction only.

30516. How is the Board to run all these schools scattered about a district if it has not some officers to tell it what the state of things is?—We shall tell them.

30517. That is to say the Board will simply have to do what your officers tell them to do?—Not necessarily. We shall advise them; we shall inspect the schools, report on their condition and advise whatever may be necessary in the way of buildings, or staff and improvement, and it will rest with the Board if it has funds and is willing to do so, to carry out those recommendations.

30518. If they do not carry them out, will you not be a little vexed?—It will depend on whether the Board is in a position to carry them out, but it is as well that the Board should know what is necessary for efficient education.

30519. Generally speaking, does not a large amount of the proposals to a Board in the matter of education relate to the details of filling up of the staff of a school, appointing A rather than B?—There is also the equipment of a school, there is no doubt a great deal of personal patronage involved.

30520. Will not that gradually fall into the hands of the deputy inspectors?—No, the Board will still have the administrative charge of the schools.

30521. But how will they get to know about the merits or demerits of A and B, except on the advice of the deputy inspector?—They will, as at present, know about the work of A and B upon the advice of the inspecting staff.

30522. But the inspecting staff will no longer be under their orders, and if they give bad advice they will not be able to punish them?—No.

30523. You gave the analogy of an English County Council—have they no establishment by which they can get statistics and information about the schools they aid from the rates?—In speaking of the County Council I restricted my remarks to the work of inspection of schools.

30524. How does the County Council manage to get information about the schools which are to be aided or supported by the rates?—They have two things to go upon; they have their own County Director of Education, who has a staff and who gets his statistics direct from the schools themselves, and they have also the information which comes from the Board of Education and which is collected by the inspectors.

30525. Has the County Council a local peripatetic staff?—Not for inspection; the statistics to which you refer are sent by the schools to the office of the County Council on the education side.

30526. How would a County Council, for instance, discover whether a school was conforming to the conditions of the Cowper Temple clause, or any other conditions laid down?—It would probably learn it from the inspector.

30527. You say that District Boards would have considerable latitude in the management of their schools, but at the same time through your provincial Codes you regulate the course of study, the time table, the promotion of scholars, the grants-in-aid, the examinations and text-books—is there much left?—There is the important point of promotion of teachers, their pay, their prospects, and their recruitment—everything which has to do with the personal aspect of the teacher is still in the hands of the District Board.

30528. But everything else is under a cast-iron provincial Code?—No, for instance the buildings and equipment are not.

30529. Can they depart from the curriculum without your consent?—No, they cannot.

30530. Can they depart from the school hours without your consent?—Yes, all they have to do in the case of school hours is to arrange a time-table with their own deputy inspector under the Code; I do not lay down definitely what school hours should be kept.

30531. You have time tables?—Yes, those are arranged for vernacular schools by the deputy inspector for the district but are not submitted to the inspector for approval. But as a matter of fact the deputy inspector and his staff are perfectly free in the matter of time tables.

30532. But they are not in the matter of courses of study?—No. They are laid down definitely.

30533. Suppose a Board thought it would be better for the pupils to learn a little more of agriculture and a little less of the geography of Great Britain—would that be acceded to?—Certainly if it was reasonable, but no such application has, as far as I know, ever been made by a Board.

30534. The Local Government deplores the backward condition of these provinces in educational matters; has not that failure been possibly due to excessive departmentalization and to the fact that you have not given a sufficiently free hand to local enterprise?—I should say that it had nothing to do with departmentalization.

30535. Is it due to a fundamental vice of the people and not to the Education Department?—It is certainly not due to the Education Department because we cannot bind boards down by hard and fast rules, and there are certainly no complaints that the children are kept away from school owing to the unpopularity of the control.

30536. How do you account for the fact, then, that you are so very much behind Madras and Bombay?—That is a very large question.

30537. Speaking generally, do you attribute it to a difference in the character of the people?—And also largely to the fact that we are unable to expend on education so much as other provinces are; our educational expenditure is lower per head than that of any other province.

30538. Has the change in regard to municipalities depriving them of the control of education been carried out?—No municipality has been deprived of the control of education; they are allowed, if they wish, to make over their schools to District Boards.

30539. It is purely a matter of option, and they have not been ordered to do it?—Quite so.

30540. Have they largely availed themselves of the option?—Yes.

30541. Have cities like Cawnpore and Lucknow?—I cannot tell you what has happened in Lucknow, but the majority of municipalities have availed themselves of it; but a few of the larger municipalities, like Benares, are establishing their own system of inspection and are appointing their own inspectors.

30542. Surely a great city like Lucknow, or Allahabad, or Agra ought to be able to have its own staff of inspectors?—Unfortunately in large municipalities it does not follow that education is more forward than in small; in the large municipalities education is neglected quite as much as in the smaller ones.

30543. And yet some persons who are members of a committee of a municipality are often members of the District Board too?—I should say in the larger municipalities that is very seldom so.

30544. The Collector is Chairman of both as a rule?—Yes.

30545. And yet you say they fail in one case and succeed in the other?—Yes.

30546. Have you ever attended municipal meetings as an inspector of schools?—Yes.

30547. Did you find that they regarded education with apathy?—I have already stated clearly that I consider municipalities take very little interest in education.

30548. What do they take an interest in?—I have so little knowledge of municipal work that I could not tell you that.

30549. Speaking generally, may I take it your position is that the larger the jurisdiction the more efficient the control; that you disapprove of village schools; you

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disapprove of municipal schools, but you think the District Board could manage its schools under certain restrictions; and that the best plan of all is management by a single department for a whole province?—I do not think that a fair inference from my evidence.

30550. Will you correct me where I am wrong?—My point is that the District Board has a better organisation for the management of schools than a municipality, as a rule, and therefore the management is more efficient.

30551. And to apply that train of reasoning, the department has naturally a better establishment than any District Board?—On the contrary, the District Board has a better establishment for the management of the vernacular schools than the department has; it would be quite impossible for a department to undertake the management of all primary schools because it has not sufficient local knowledge.

30552. But you wish, I understand, to annex them to your own department?—Certainly not; I have not said so.

30553. Do you not desire to make deputy-inspectors provincial officers and under the Director of Public Instruction?—Yes.

30554. When you have made that change, would not the next step be to get the control of the schools?—No, the very opposite; the next step would be the appointment of a paid Secretary to the District Board and an improvement of the organisation of the District Board for the management of its own schools; there is no suggestion, either in my written evidence or in what I have said, that it is the desire of the department to take over the management of the primary schools.

30555. Who is your paid Secretary to be?—He would be an officer of the District Board.

(*The witness withdrew.*)

Mr. A. L. SAUNDERS, I.C.S., was called and examined.

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30556. (*Sir Frederic Lely.*) You are a Commissioner of Lucknow?—Yes.

I have seen much advocacy in the press and in public speeches of a return to what is described as a parental and patriarchal form of administration, free from vexatious and unnecessary supervision. Idyllic pictures are drawn of the efficiency of, and confidence of the people in, this method of government. It is alleged that District Officers have "lost touch" with the people; that this is largely the cause of political unrest: further, that it is mainly due to increase of work, and that increase of work is mainly the result of multiplication of rules and regulations, which again is caused by a desire on the part of Secretaries and other members of the controlling agency to usurp the functions of Executive Officers. Every one of those propositions is altogether unsound. The Central Provinces have undergone changes within the last few years perhaps more extensive than in any other parts of India. But from the early sixties to the late eighties those districts were administered by officers who, owing to the inaccessibility of their charges, to the amount of judicial work imposed on Commissioners, and to other reasons, were as completely uncontrolled as officers could well be under an organised Government. I have seen that system in working, and people who recommend its restoration do not know what they are talking about. It is, of course, necessary at a certain stage of development, and it has occasionally given wonderful results in the hands of very exceptional men. But it is not compatible with advancing civilization, and deliberately to attempt a return to it would be reactionary and disastrous. Therefore, speaking generally and subject to numerous exceptions, I am not in favour of a policy of decentralization in the sense of a slackening of control over officers who are, after all, aliens, who wield very great powers, who have little, if any, public opinion to reckon with, and who are often subject to great physical and mental strain. I should prefer a fuller and closer control by the Government of India over Local Governments and Administrations, and by these latter over their subordinates.

From the point of view of a provincial Secretariat, which is all I have to go upon, it seems that a Local Government lacks firm ground as to financial resources, but I recognize that the Government of India can hardly grant a certainty that it does not possess itself. The fractional division of taxes between the Supreme and provincial Governments is based on the mistaken view that a provincial Government cannot be trusted to administer a tax efficiently unless it has a financial interest in the result. In framing provincial contracts undue stress is sometimes laid on this financial interest, the view being taken that a Local Government can, if it takes trouble, improve the yield of the taxes it collects, and this improvement being reckoned as a definite asset. A Local Government could work better with a fixed grant, the Supreme Government receiving, as it has to meet possible increases on either side of the account.

As to granting Local Governments borrowing powers, there is much that can be said for it, but, on the whole, I am against the proposal. It would, it seems to me, involve too great a degree of financial independence.

The Government of India's rules regarding appeals seem to work well. The Local Government might with advantage adopt the rules of the Government of India and the Secretary of State in regard to the admissibility of appeals. There should be no appeal in a case in which an action may be brought unless the appellant agrees not to sue. The suggestion to require a certificate as to the admissibility of an appeal from the officer whose decision is appealed against is not, I think, practicable.

I think there should be no appeal by an officer of Government unless he be directly injured by the order appealed against. I would differentiate the right of appeal according to the length of a man's service and restrict it very largely in the case of men of less than, say, two years' service. I think applications for appointment should only be made to the officer in whose gift they are.

I would grant extended powers to Sub-Divisional Officers chiefly in executive matters. They have fairly wide revenue and judicial powers already. There is not much room for the grant of further powers as regards the other authorities named. Commissioners might perhaps exercise further powers in regard to passing budgets and control of litigation.

As to knowledge of the vernacular, one can never have too much of it. An obvious shortcoming is that, with rare exceptions, we do not read or write the vernacular, only speak it. Colloquial knowledge of the vernacular is much better in these provinces than in most other parts of India, because, firstly, we have only one language to learn; secondly, comparatively few of our subordinates and the non-officials we see most of know English.

Transfers are a serious weakening of the efficiency of the administration, but there is a constant pressure on Government to make them. The Government of India have more than once discountenanced unnecessary transfers. It would be a good thing to give officers of the necessary seniority a lien on their posts as Civil Surgeons have. Next to not being transferred, it is important that an officer, his subordinates, and his public, should know he is not likely to be transferred.

Tahsildars should have limited authority over subordinates in their *tahsils*. Their control is often defective for this reason.

As far as municipalities are concerned, I venture to advocate a larger measure of self-government being extended to them, or rather that they should be conceded in fact what they are allowed in name. The Municipal Acts of the Central Provinces and United Provinces grant extensive statutory powers to Municipal Boards, and restrict closely the powers of control possessed by District Magistrates and Commissioners. But this is little more than nominal while the District Magistrate is Chairman, or where, as in the Central Provinces, he is required to control and hold himself responsible personally for all details of work. There is, again, an apparent insincerity in making the official Chairmanship of the District Magistrate elective There can be no equal election with him as candidate In 1882 to 1885 Lord Ripon's Government laid it down as an axiom that local self-government should be real, even at the cost of some deterioration in the quality

of administration. But Local Governments have never reconciled themselves to such deterioration, and the policy then enunciated has never been fairly carried out. We are less advanced in this matter now than we were 20 years ago.

As to District Boards, I do not advise any further delegation to them. They have not taken hold to the same extent as Municipal Boards. Apart from their official executive, they show very little vitality.

It will be time enough to talk about Advisory or Administrative Councils when some reality has been given to the local bodies we possess. As for Advisory Councils, I think Indian public feeling is rather tired of Councils which have no independent life, owing to a standing official majority or an official executive. One way and another I think public opinion is consulted as much as is necessary. The question is whether it might not be trusted with some share of direct power.

I have known village committees do good work in supervising schools, but I should hesitate to trust such communities to any great extent.

It might be considered whether more extensive powers might not be given to large landlords on their own estates. Many of them are Honorary Magistrates, and I would not recommend their exercising police functions, but many of the duties devolving on District Boards would often be better performed by landowners within their own estates.

30557. You think that it is possible to go very much too far in freeing the District Officer from control?—Yes, decidedly.

30558. Would your ideal be to give him a rule for everything that he does?—I am inclined to think that the more regulation the better; I am not in favour of unlimited discretion.

30559. But would you go so far as to say that he should be regulated by rule in all his actions?—I would not go so far as that. In the case of appointments, for instance, I would allow him a free hand in the matter of smaller appointments. It is better that you should give him limited powers and a freer hand in regard to those. The better principle is, instead of giving him a wider sphere subject to appeals or confirmations, to give him a more limited sphere within which his orders should be final. At present, for instance, he can make appointments up to Rs. 50, subject to the control of the Commissioner, to whom he has to report for sanction. I should prefer to see it limited in amount, and to let his order be final.

30560. Would you not raise the scale of appointments which he might make?—Yes, he should have the power of appointment of all his clerical subordinates.

30561. Including his head clerk?—Yes, I would not give him power to appoint subordinate Civil Servants, because they are necessarily borne on a provincial list; they have to be exchanged.

30562. There is a class of cases which go up for sanction, but in which his recommendation is in fact accepted as a matter of course; do you see any objection to giving him the final power in cases of that sort?—I should in every case give him the full power where he now has the virtual power.

30563. Such a case, for instance, as calling upon a man to retire at the age of fifty-five; that is in the hands of the Local Government, but it must of necessity act upon the opinion which the local officer forms of the man, would you see any objection in giving the local officer power in matters of that sort?—No, I would certainly give him the power.

30564. Then there are other cases that are so trivial as to make very little difference one way or the other; would you give all cases of a certain degree of triviality into the hands of the District Officer provided they did not involve any large principle?—I think so as a rule.

30565. Would you as a general principle agree that it was not right to fetter all good men for the sake of avoiding the mistakes of a few weak men?—It is not so much weakness that is the difficulty as temper.

30566. Unfitness of any sort?—Yes; the very best man is apt to get out of hand; I mean to lose his self-control under the strain that is often put on a District Officer.

30567. You do not think that that would be sufficiently met by the general supervision of a superior authority?—I think not; rules are preferable.

30568. To forestall mistakes like that rather than deal with them afterwards when once they are made?—Yes. Dealing with mistakes after they are made means appeals.

30569. You would allow that personal influence is an asset?—Decidedly.

30570. And could it not be thoroughly obtained if a man has to report instead of doing?—I would not say that. Our tahsildars, for instance, on the executive side in theory have very little power but their personal influence is considerable.

30571. Does not there personal influence rest on other grounds, grounds which are not available to the European officer?—That is partly so.

30572. You say that there should be no appeal in cases in which an action may be brought unless the appellant agrees not to sue. Is it not desirable that a second inquiry should take place, to avoid the Government going into court with a weak case?—I was referring to instances in which a man appeals through every authority that he can possibly appeal to, even up to the Government, and having had his petition negatived by them the man sues for redress in a Civil Court.

30573. But you say "There should be no appeal in a case in which an action may be brought, unless the appellant agrees not to sue." Is not that rather too broad a statement?—If a man appeals he should accept the appellate authority. Suppose a man objects to some action of the District Officer. He says "I will appeal to the Commissioner"; the Commissioner says "All right, I will deal with this case if you like as an arbitrator; do you accept my decision as final?" What happens is that the man appeals from the decision; if he is dissatisfied with the Commissioner's decision he appeals to the Government; and having exhausted everybody on the executive side, he then goes to law. I think there is a waste of power and a loss of prestige.

30574. But is it not to the interests of Government that the Commissioner, at any rate, should enquire into a case, even if a man afterwards brings a civil suit?—I think the Commissioner's enquiry is wasted.

30575. The Commissioner may find that the Collector is wrong and so save the Government from going into court?—If the Collector is found to be wrong the decision is final on the Government side; while the Government is bound by the decision of its officials against it, the other man is not bound and can appeal.

30576. But suppose the man refuses to enter into any agreement of any sort, would you have the Commissioner then say "I refuse to enquire into the case"?—Yes, I should say "If you want to go to law, go to law."

30577. Suppose the case that is decided by the Collector is a weak case, it goes into court and the Government gets cast?—I should think there is very little chance of that.

30578. Would it not be better to limit the appeal so as to ensure that one presumably strong authority at any rate should decide on the case before it went into court?—Yes, I should have no objection to one appeal; at present there are so many. A man who has a monetary claim against Government, a contractor or anything of that sort, can claim through three executive authorities, and then go to law afterwards. It is a great advantage in dealing with the *wasika* pension cases in Lucknow, which are very numerous, that the man cannot go to law unless he receives special permission; it saves a great deal of money in litigation.

30579. Your general view is that the municipalities should have more freedom from control than they have at present; as a matter of fact is an efficient non-official Chairman available in many of the municipalities of the United Provinces?—I am quite prepared to admit that if you gave them a larger measure of self-government there would be a considerable decrease in efficiency, but it is of considerable political importance that it should be tried.

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30580. You say "Many of the duties devolving on District Boards would often be better preformed by landowners within their own estates"; what particular duties are you referring to?—Control of hospitals, schools, and roads and sanitation. In the Central Provinces in some places they made large landowners nominal members of the Board, with the object of their doing the work within their own zamindaris. That is a very good arrangement.

30581. Would you go so far as to hand over the estimated cost of the repairs of a road for instance to the landowner for him to expend?—Yes, in some cases.

30582. Without any control at all?—I would not say that; I would ask him to send in a return; I would not bother him with two many rules; I would ask the landowner to say "I have seen the money spent on this road, and am satisfied that it has been properly spent."

30583. Would it not be extremely important that all interference on the part of overseers and so on should be excluded?—Yes, that is what they object to now. At present the large landowners do not join our Boards; they say they object to our petty subordinate officials interfering in their estates.

30584. (*Mr. Meyer.*) Does the Lucknow Division correspond roughly with the old Kingdom of Oudh?—About half of it. The other half is Fyzabad.

30585. You speak, as a matter special to Lucknow, of the relations with the *talukdars* and so on; would that not apply to the Fyzabad division?—Yes, but not quite so much; many of the *talukdars* even belonging to the Fyzabad Division who wish to refer matters to Government often happen to be in here, and they refer to the Commissioner.

30586. Are your relations with *talukdars* to a certain extent personal relations do they come to you for advice, say, about their estates or family quarrels?—Yes.

30587. You have served for several years in the Central Provinces, is not the system of administration there a good deal like that in these provinces?—Yes; there are some important variations; at the time I was serving there the District Officer had a far freer hand than would be allowed District Officers here. One cannot so much give specific instances, but the difficulties of communication made him very independent; even if it takes a week to get near the Commissioner it is very often not worth while for people to appeal.

30588. The tendency there, so far as one can judge, will be in the way of diminishing that latitude?—Decidedly. It became a sort of reversion to the regulation type; it began under Sir Alexander Mackenzie in 1887–8, and things were very much tightened up then.

30589. As far as regards appeals and the financial and administrative powers of District Officers and Commissioners, is there much difference between the two provinces?—No, I do not think there is much difference now.

30590. You say "The fractional division of taxes between the Supreme and provincial Governments seems illogical" and you think that a Local Government would work better with a fixed grant. Do you mean that the Local Government should have a fixed lump sum given to it every five years or so with which to meet its expenditure?—It would probably find it easier to work in that way.

30591. All the developing revenues, the increase caused by land revenue and excise and so on, going to the Government of India?—Yes; there is very little; it does not amount to much in a settled province; there is comparatively little increase to be got. And, after all, the Government of India has to meet any sudden demand—anything in the way of famine or war comes upon the Government of India—and the Government of India must take the other variation.

30592. In these provinces are not excise receipts now a good deal larger then they were, say, ten years ago?—Yes, there may be a variation of that kind owing to a change of policy.

30593. You would debar the Local Government from any share in such increase?—Under the head of excise the increases of revenue are not looked upon with favour. A Local Government if it had an opportunity of improving the revenue would not be debarred from considering that improvement because of the consideration that the Government of India would profit by it.

30594. Are not the needs of the Local Government constantly increasing?—Yes; but it is a more steady demand; it is not like the Government of India, where we have to meet a famine or a war; you cannot imagine a Local Government being called upon to find a sudden unexpected demand. Of course it might, if you gave it the whole of its famine expenditure.

30595. At this very moment the Local Government has to meet a certain amount of famine expenditure?—I do not think so. The bulk of the demand is made on the Government of India; the Local Government cannot impose taxes, it cannot alter its land revenue assessment, it has no means of increasing its revenue.

30596. There is a constant clamour for increase of salaries and for additional establishment in all directions, also for increased expenditure on public works, education, and so forth. Would not the Local Government be seriously hampered, having only the same fixed grant, if it got these demands coming in in increasing proportions?—Not more hampered than it is now. At present its revenues are not elastic in any way. You mention excise; excise is one-half provincial; that does not give much facility for meeting any demand such as famine. If the Local Government now suddenly finds itself confronted with a famine it cannot double its excise revenue to meet it.

30597. I am speaking of the normal increase of expenditure, quite apart from famine. As civilisation advances expenditure advances?—That is true, but then you have your five years settlement to meet that; you adjust it at the end of the five years.

30598. You would have the same squabbles between the Local Government and the Government of India as went on under the previous temporary settlement, as to what was a fair sum to give a province?—Yes, you would.

30599. Are you satisfied, generally speaking, with your position as a Commissioner?—Yes.

30600. I have been told by some officers in this province that the position of the Commissioner is rather like that of a post office; you would not agree with that?—No; it is a very small fraction of his work to which that would apply. You could not call him a post office in respect of his judicial work, or of his inspection work; you could only apply it to his correspondence work, and only to a portion of that.

30601. It has been suggested that the Commissioner might be more of a Sub-Governor, for example that he should have a budget out of which he should allot money for Public Works; would you be in favour of that?—No, I do not think I would; the present shape that the division of powers takes has grown up by degrees, and it more or less answers to the requirements of the country; it would be unwise to alter it on theoretical grounds. If it had been found in practice that a Commissioner could administer a Public Works budget he would probably have had the powers by now. There is just as much a tendency towards decentralization in Government matters as towards centralization; or rather they vary one with another. The things adjusts themselves by degrees; and they cannot be altered very well on theoretical grounds.

30602. In your experience of these provinces, which has prevailed most of late years, the centralization or the decentralization tendency?—Perhaps decentralization as a tendency has prevailed more than the other; it is not so much in the way of actually taking power to the Local Government as of a dealing with things more by general rule; it is more convenient for the Secretariat to apply the same rule to 48 districts than to consider each district separately. I was for some time in the Secretariat in the Central Provinces and I think it is the same case here. I do not believe that any Secretariat officer ever desires more work for its own sake.

30603. But he thinks, quite naturally, that he can run things better than the man below?—He may think that, but there is the other tendency also very frequently found. I remember when Sir Alexander Mackenzie revised the administration of the Central Provinces, the rule there was that every officer should be entrusted with the fullest powers that he was fitted

to exercise, and many functions then exercised by the Chief Commissioner were delegated to Commissioners or Deputy-Commissioners.

30604. You would approve of the principle that the lower down you go the better; that if a tahsildar can be trusted to exercise some particuiar function he should be allowed to exercise it and it should not go up to the Sub-Divisional Officer, and so on all up the line?—Certainly.

30605. Would you give Commissioners the power of appointing tahsildars?—I think not; they are a Provincial Service.

30606. But is there any necessity to keep them as a Provincial Service; might they not be localised in the divisions?—It would reduce the status of the service a good deal in the eyes of the public and of the men themselves.

30607. Would you say the same with regard to the naib-tahsildar?—Yes.

30608. Would you vest the control of municipalities and District Boards in the Commissioner except when it came to a matter of suspending or constituting a local body?—You might vest that power in the Commissioner. The theoretical control given at present is so very much smaller than that which is exercised in practice, that the Commissioner might well have more control.

30609. Would you allow him to invest officers with magisterial powers subject to conditions of fitness prescribed by the Local Government in consultation with the Judges?—That might be done because it is a very formal thing at present; it is all done by rule; an officer of three years' service gets such and such powers.

30610. In the matter of pensions and travelling allowances, and so forth, are there not various matters which the Commissioner might be allowed to deal with?—I would go very gently there; in any matter of that sort the Secretary of State's control is made very close. We want close looking after in financial matters, because a very small sum may involve a very considerable principle.

30611. Would you approve of this principle, that the authority that appoints an officer in this country might also grant his pension, subject to a certificate from the Accountant General that it was all *en régle*?—Yes, I see no objection to that rule.

30612. If you had a non-official Chairman of the municipality, would you have paid Secretaries?—Yes, I think paid Secretaries are necessary.

30613. It has been suggested that District Boards might have full-time paid Secretaries; is that required?—Yes, if they could afford it. The District Boards of course stand on a very different footing from the municipalities; there is far less independence and self-governing power.

30614. Would you be prepared to give the District Boards more independence in the matter of roads, for instance, allowing them to have their own road establishment?—I am not in favour of extending the powers of District Boards very much; they do not work nearly as well as the municipalities work.

30615. Because there is less power and interest?—Yes.

30616. From that point of view, was it a wise step to abolish your *tahsil* Boards?—Yes, the *tahsil* Boards were very inefficient.

30617. They had very little to do?—Yes.

30618. Suppose you decentralize the powers of the District Board and gave them to *tahsil* Boards, might not the latter have become very popular institutions?—There is not enough work for the two Boards together; if you introduce the Local Board, the District Board becomes a farce. I have seen that in the case of District Boards. I have been at a meeting where the only business has consisted in the reading through and passing of twenty resolutions, and the members have complained that they have been brought forty or fifty miles for that simple purpose.

30619. Would it not be possible to have *tahsil* Boards, and a sort of District Council to effect the necessary co-ordination?—I prefer the present arrangement; we practically tried the other in the Central Provinces and the *tahsil* Boards there were decidedly not a success.

30620. You say that there should be no appeal by an officer of Government unless he be directly injured by the order appealed against. Do you mean that he has been reduced or dismissed?—Yes.

30621. Suppose he has not received the promotion which he thinks himself entitled to, would you put that into the category of cases in which he might appeal?—If he was passed over for an appointment which he had claims upon in the direct line of seniority, he should have a right of appeal, but not otherwise. I had in my mind the case of a man having no claim in the line of seniority and who appealed two or three times because he did not get promotion.

30622. You mean that a Collector should have no grievance because he was not made Chief Secretary?—Yes.

30623. If he is not made a Commissioner you would allow him an appeal?—Yes, on the ground of seniority.

30624. (*Sir Steyning Edgerley.*) Placing power with a local officer does not necessarily mean the slackening of control?—Not necessarily.

30625. It gives the junior officer more time for inspection and more time for getting himself into touch with the whole of the work?—Yes; we do a good deal now, especially with the Indian officials in the way of requiring them to report anything for approval and sanction. As a matter of fact, one must be entirely guided by what they report, and therefore it would be just as well to give them the direct power, and the responsibility would do them good in the case of a tahsildar in his own *tahsil*, for instance, or a Sub-Divisional Officer in his own sub-division.

30626. Would you carry the extension of powers to Sub-Divisional Officers so far as to make the Sub-Divisional Officer practically a little Collector in his own particular charge?—With very limited powers; it is rather the executive that I was thinking of. You will observe that I say "fairly wide revenue and judicial powers." In revenue matters they can appoint *lambardars*, and can deal with patwaris, and in judicial powers they can inflict up to two years' imprisonment. Those are fairly ample powers; but in the case of the executive if they wish to deal with a sub-divisional official or anything of that sort they have to report to the Collector for sanction: it would do them good to give them a direct executive power.

30627. They have nothing to do at present with the collection of revenue; why is that?—It is so laid down in the Land Revenue Act.

30628. Is that a good thing?—It would be a good thing to give them such powers.

30629. You say that Commissioners might have further powers in regard to the control of litigation; that is simply Court of Wards litigation?—Yes.

30630. When you come to a question where litigation is threatened you must go to such legal adviser as you can afford to pay?—Yes, but there are cases in which a legal opinion is hardly necessary sometimes, when there is no question of law involved.

30631. Anyway, you think that the Commissioners might practically control the litigation in regard to those estates?—Yes.

30632. Have they access to any legal advice, or would they simply consult *ad hoc* some advocate of their own choice?—They would consult, *ad hoc*, the Government Pleader or someone at the expense of the estate.

30633. You do not think that on the whole Governments ought to be allowed to borrow?—We have been told in different parts that people think that for small works, five or ten lakhs, and works of that class which interest the locality, Local Governments could find a market which is not touched by the Government of India; do you agree with that?—I very much doubt if they would; there is not much market locally.

30634. The Secretary of the Cawnpore Chamber of Commerce gives us that as the view of his Chamber; you are inclined personally to differ?—Yes.

30635. You say you think it is a mistaken view that the provincial Government cannot be trusted to administer a tax efficiently unless it has a financial interest in the result. That is practically a plea for greater solidarity between the Local Government and the Government of India?—Yes. Financially the

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Government of India seems sometimes to evince a certain amount of distrust of the Local Governments. That should not be so.

30636. You say that the District Local Boards have not caught on as much as the municipalities: can you give the reason for that difference?—One thing is the physical nature of the work. In the first place our districts are largely artificial areas. Lucknow city involves a certain amount of patriotism in its residents, but nobody cares about the district; it is an area carved out by the British Government, and nothing more. In the one case a man sees the results of his own work under his own hand, whereas in the case of a District Board a man at one end of the district is not affected in any way by the state of the roads or schools at the other end of the district. Then, the large landowners rather dislike the District Boards; they consider that they usurp functions that belong to them, and also they do not care about sitting on equal terms with men they regard as socially their inferiors. Also you may say that for municipalities you get hold of men of more education and enlightenment, non-officials like pleaders and others, who have more education and more administrative capacity than rural landlords.

30637. All those reasons except the last two would go to build up an argument for endeavouring to develop some sort of village autonomy?—Yes. I am very much in favour of encouraging the power of the landowners themselves. For the most part they exercise it with discrimination and fairness, and they can be trusted to exercise more powers in their own estates than are at present given to them.

30638. How far would that cover the province?—Chiefly Oudh; I have very little experience of Agra, but I daresay there are cases there where it would apply.

30639. It has been suggested that the best unit for the development of local self-government would be a market town to which the people resort for their weekly supplies, and to try to form some kind of body there?—I have not considered that at all, but it seems a suggestion worth considering.

30640. You might make some sort of union or panchayat for that area under the District Board?—Yes; it is certainly common in Oudh to find that the smaller towns are regarded as small capitals for areas round them, what they call the *kasbas*.

30641. Whatever the scheme may be, a great many people—officials and non-officials—have told us, that they consider the urgent thing to do is to try to develop some sort of village local public spirit?—I am a little doubtful about it in villages.

30642. Do you think it is not desirable, or do you think it cannot be done?—I do not think you can trust them sufficiently.

30643. But you cannot trust them until you *have* trusted them, can you?—Not to the same extent, I mean, as you can with a larger constituency as in the case of a town where you get a larger public opinion brought to bear. Many villages are rent asunder by fierce feuds of which we never hear anything. If you gave them power, it might be used seriously for oppression. I have known good work done in supervising schools in villages, but there is little opportunity of doing any harm. I would not trust a village panchayat with judicial functions. I have known cases where the people themselves did not seem to trust the village panchayats.

30644. Is the Commissioner's establishment an efficient one?—You mean my own personal office? Yes, it is reasonably efficient.

30645. Have you got modern conveniences, such as typewriting and shorthand writers?—Typewriting is largely spreading; shorthand has not yet come into favour.

30646. Have you any personal assistant?—The Head of my office is called head assistant. He is an Eurasian on the clerical establishmeut.

30647. Have you any Deputy-Collectors as assistants?—No, they do not follow that system in these provinces; the whole of the Commissioner's staff is entirely clerical.

30648. If you had a really high-class assistant of that sort your office would be very much more competent for their duties than at present?—Yes. Sir John Woodburn tried to introduce it in the Central Provinces, but the Government disallowed it.

30649. What do you think of the system yourself?—I think there is a great deal to be said for it. When the Commissioner is away it is often inconvenient to have nobody of any executive experience; also, of course, clerks are apt to get out of touch with the district work; they have no experience of district work.

30650. With regard to the Collector's establishment, are they sufficiently efficient?—As to the local clerical establishments I cannot honestly say that I consider them efficient; they are less efficient in these provinces than in many others. Our standard of education is very low; we are very inferior to Bombay and Madras, and inferior sometimes to the Central Provinces.

30651. (*Mr. Dutt.*) You have told us that owing to difficulty of communication the District Officers in the Central Provinces in the old days used to exercise a great deal of power. Was their administration something like personal government within their own districts?—Yes.

30652. In your own opinion that state of things is not compatible with the advance of civilization, and any attempt to revert to it would be both reactionary and disastrous?—Yes.

30653. At the present time the members of the Provincial Service are appointed by the Local Government both in the Executive and in the Judicial and Educational lines. Orders about their transfer are also passed by the Local Government; would you like to delegate that power to Heads of Departments or to Divisional Commissioners?—I think not. In practice a Commissioner is supposed to exercise a certain amount of power in connection with transfers, and so on; the final order rests with the Local Government, but I am supposed to make suggestions by way of assisting the Local Government as to how vacancies should be met. The Local Government accepts my recommendations as a rule.

30654. In this province there are practically no subdivisions outside the *tahsils*. You are probably familiar with the arrangement in other provinces, in Madras for instance, where a sub-division generally consists of two or three *tahsils*, and the district consists of two or three sub-divisions. Would that arrangement be more convenient if gradually introduced into this province?—I have no experience of the arrangement. I do not think it is necessary, having regard to the improvement in communications. I cannot imagine any of the districts of my own division in which the *tahsils* could be better grouped than by districts.

30655. You said that there should be no appeal by an officer of Government unless he is directly injured by the order appealed against; in cases where he is injured, would you restrict his right of appeal, or are you in favour of keeping the right as it exists at present?—I would keep it as at present. I have known a man appeal against a transfer; I do not think he should have a right to do that, assuming that the authority had the power to make the transfer; he should only appeal against a direct injury.

30656. With regard to municipalities, you say, "There is an apparent insincerity in making the official Chairmanship of the District Magistrate elective"; will you explain exactly what you mean?—You say, "Have a free election, but one of the candidates should be the District Magistrate." Practically it is not a free election, because the District Magistrate's influence is so great that no other candidate would be likely to come forward against him. It would be more straightforward to appoint him Chairman direct, instead of nominally leaving it to election, when in practice there is only one candidate.

30657. Is there a rule that in the case of certain first-class municipalities the District Officer must be Chairman?—Yes. Personally I am in favour of trying non-official Chairmen. I would begin with the smaller towns. Not the very small towns or the very big towns, but the intermediate ones; places where there is not so much European population, and not so much strain on the Chairman; the very small towns perhaps could not be trusted with these powers, but in many of the intermediate towns they can be trusted, and ought to have that concession.

30658. What is your idea about the Chairmanship of the District Board?—You could leave that official. The District Boards at present are practically Advisory Councils to all intents and purposes.

30659. Are the whole proceeds of the district cess made over to the District Board?—Yes, and in addition it receives a grant from Government. District Boards are not able to meet all their work from their own finances, and their income is made up partly from cess and partly from the Government grant.

30660. Does the Government make any deduction for collection charges?—No, there practically is no collection charge.

30661. There is a proposal that some District Boards might employ their own Engineers, qualified men, when they can afford to do so, and they should be allowed to do the roads themselves; would you be in favour of that?—I think not. For one thing, there might be a waste of power between the district Board's Engineer and the Government District Engineer; their work would overlap; and as long as the District Board's work remains largely Government work, the appointment of two Engineers would be wasteful and a loss of power.

30662. So far as primary education is concerned are the District Boards quite competent to manage and inspect their own schools?—I think so; in fact I would go further and say that I am very much in favour of making over the municipal schools to the municipalities.

30663. With regard to the different branches of District Board's work, such as education, roads, and hospitals, would it be a good plan to appoint sub-committees, each taking charge of one department of work?—Yes, that is largely done now.

30664. So far as your experience goes, is the budget of the District Boards, made up by a Finance Sub-Committee?—No, it is made up by the Secretary and the Chairman.

30665. Could it be left to a small sub-committee?—A sub-committee is not necessary; the work is not sufficiently elaborate.

30666. Would you agree that it is desirable to try to educate the District Board, so that one day they should be able to run their own affairs independently?—Yes, that is the policy to be aimed at.

30667. Are there any steps that you can suggest to create that independent feeling, or at present is all one can do to possess one's soul in patience and wait?—One step that might be taken is to make the Secretaryship non-official; the Secretary is generally an official at present.

30668. There are two alternatives in that connection; you can either have a paid Secretary and a non-official Chairman or you can have an official Chairman and an unpaid Secretary; which is the better of those two alternatives?—The official Chairman and the unpaid Secretary.

30669. Would you get a man to do the somewhat humble work as unpaid Secretary?—I think some gentlemen would be willing to undertake it. I would prefer to keep the official power more in the background. It used to be the Central Provinces idea to have the Chairmanship non-official and to have the officials doing the humble work, as you put it; but the arrangement did not work well; it deprived the non-official Chairman of all sense of responsibility, and it practically meant that the work was done by the official; the Chairmanship became nominal.

30670. Can a municipality, within certain limits, increase or reduce taxation?—Yes, with the sanction of Government.

30671. Might they have a free hand?—The powers that the municipality possess at present are quite extensive enough, but they are not allowed to exercise them.

30672. It was suggested to us that the cess might be of a varying amount; that is to say that the District Board should have power to levy the local cess between a maximum and minimum; is that possible?—I doubt if that would be wise and there is no particular use for it, because, as a matter of fact, as the cess is not enough to meet the District Board's wants, it would become necessary in all cases to levy the maximum; the Local Government if it was asked for a grant would naturally reply, "You are not levying the maximum cess; you must do that before you come and ask us."

30673. Would there be any objection in the way of land settlement to imposing a varying cess?—I think there would.

30674. Possibly the amount of the cess is prescribed, is it?—The amount of the cess is prescribed; it is a certain percentage of the land revenue.

30675. Could you suggest any other direction in which you could improve the finances of the Board?—I think there are some local sources of income that might be made available, the taxation of bazaars which is very common in India and well understood; the levying of a duty on pilgrimages to some large fair, that is also common. That involves the District Boards in a great deal of expenditure and I do not see why they should not have the result of tax; further, such taxes would be in accord with the feeling of the country.

30676. Speaking very generally, have the District Boards adequate funds to carry out the works for which they are responsible?—I should say not. The state of most of our District Board schools and District Board communications is very poor.

30677. That again is a reason why the people are not particularly interested in the work—that they have not the funds to do any real work?—That is so.

90678. Would that also apply to municipalities?—Of course Local Boards would like more money than they have, but the municipalities are proportionately better equipped than the District Boards are. The people are more willing to tax themselves in a municipality; you get a direct return for your money; if a man pays a tax he sees the result in improved roads or drains or water supply, whereas in a district he very often does not see the return.

30679. From your experience as a Commissioner would you say that the District Officer, when he is Chairman of the municipality and of the District Board, tries to promote the progress of the Boards and municipalities, and to push schemes through where he can to promote sanitation, and so on?—Yes for the most part. It is the branch of their work in which perhaps they are most interested.

30680. To some extent do they get recognised at headquarters by their success in doing that?—No doubt.

30681. Is not the result that the temptation to a District Officer would always be to do things regardless of the opinion of the rest of the Council?—That is quite true.

30682. Therefore really there is no inducement to a District Officer to be sympathetic to the wishes of the people on the Board?—No, there is not, really.

30683. If we were to write up to headquarters and say, "I have not succeeded in getting this thing through because the people do not want it" he might be thought rather a weak person?—Quite so; they would think he was rather slack. If he makes a new road the result is obvious; if he consults the wishes of the Board no one knows anything about it.

30684. That is rather an objection to the District Officer being Chairmen longer than it can be helped?—Yes.

30685. You do not seem to think that there is very much hope at the moment with regard to village councils?—No.

30686. Do you lay a great deal of stress on the development of local public feeling in the villages?—There is a good deal of local public feeling in the villages now, but the difficulty is that it confines itself to the village—the village is not in sympathy with other villages. You can get a village to put down crime within its own borders, but it does not discourage its members from committing crime within other village borders. As a matter of fact, every village does exercise a great deal of power over its own members, but I do not think you can trust them to look after public order outside their own borders.

30687. Has one got to try and develop them up to that stage; is that the goal to be arrived at?—Certainly, but I think that political development for the present would have to confine itself more to the higher

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region where you get large towns and educated classes. You cannot expect at present to develop political aspirations amongst the masses of the peasantry.

30688. Your point is that they must be educated first of all?—Certainly, and also they must get a training in local self-government such as the citizens of our larger towns have had to a certain extent.

30689. Can one get first of all one or two typical places where they could put into practice some of the more rudimentary forms of village life?—I introduced school committees myself in this district, and I found that many leading villagers were very keen on having a say in the management of the school in which their children were to be taught, and they even did very useful work and effected a great deal of improvement. There are other things that they might look after—pounds and things of that sort. On the other hand, there is the question of water supply; water supply is a thing in which every village practically has rules of its own, and sometimes those rules are not at all in accord with modern ideas, such for instance as the rule that a low-caste man may not drink at a particular well. Still, they have their rules and they administer them; there is not much scope for development of that; it has already attained the development that suits them.

(*The witness withdrew.*)

Adjourned.

FORTY-EIGHTH DAY.

LUCKNOW, *Saturday, the 15th February*, 1908.

PRESENT:

C. E. H. HOBHOUSE, ESQ., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Raja MUHAMMAD TASADDUQ RASUL KHAN, C.S.I., of Jahangirabad, was called and examined (through an interpreter).

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30690. (*Chairman.*) You are a *talukdar* of Oudh?—Yes. I live at Bara Banki. I was formerly a member of the District Board there.

The share of revenue allotted to these provinces is too small to enable the Local Government to carry out many important schemes beneficial to the province. At least 50 per cent. of the revenue from all the sources should be given back to the provincial funds.

The Local Government should be empowered to borrow up to 20 lakhs to carry out important projects of the province. Loans should be negotiated on the same plan as that of the Government of India, the Local Government being responsible for their repayment.

There should be no curtailment of, or modification in, the right of appeal to the Government of India. In appeals the production of a certificate from the authority appealed against should not be made compulsory. Such a restriction would be very prejudicial to the interests of the appellant.

Commissioners should be authorized to remit and suspend revenue and to appoint tahsildars in their own divisions. Collectors or Deputy Commissioners should also be empowered to partially remit and suspend revenue and to appoint at least naib-tahsildars in their own districts. At present Sub-Divisional Officers have got no control whatever over the staff in the sub-divisions in their charge. They should be given a reasonable command over the staff of their sub-division who are Non-Gazetted Officers.

In cases of emergency Deputy Commissioners should have the power to transfer the expenditure granted under the head of one item to a different head. In waiting for sanction much delay is caused and sometimes the sanction sought for comes when it is too late.

The press of work on the Executive Officers is one of the reasons why they do not generally come into personal contact with the people. There should be an Assistant Commissioner in every district to lighten the work of the Collector or Deputy Commissioner. Courtesy, politeness and sympathy generally shown to the people would improve the relations between the rulers and the ruled.

Officials should possess a complete knowledge of the vernaculars so that they may have no difficulty in generally mixing with the people.

The number of Deputy Collectors should be increased in every district. Deputy Commissioners or Collectors should remain in one district for at least five years. There should also be an Assistant Commissioner, who may take charge of the district whenever any vacancy occurs. Thus the evils of frequent transfers will be obviated.

I am in favour of the creation of Advisory Councils for Divisional and District Officers with this reservation, that the members should have the right of introducing important measures touching the interests of the division or district, and the selection of the members should be made from among the educated and respectable community.

30691. You think the Local Government should be empowered to borrow up to 20 lakhs, but is there a local market in which they could borrow apart from any market which subscribes to imperial loans?—There is ample opportunity for the Local Government to borrow any amount of money, and there is a market; when municipalities can borrow money, there is no reason why the Local Government cannot borrow money.

30692. Is there a class of lenders of money, apart from the people who apply for shares in the Government of India loans?—There are many men who can lend money to the Local Government, apart from those people who subscribe for the loans of the Government of India. There are men who are anxious to help this province, and when they see that the Government, in working for the benefit of the province, is wanting to raise money, they will come forward and gladly help. At present the Government has no funds, and in consequence there are several important schemes left in the background, but when people come to know that what is proposed is for the good of the country, and this province in particular, they will come forward and help. There are now three lakhs of rupees wanted for female primary education, but as there were no funds forthcoming locally the Government of India refused to come forward and help the scheme.

30693. Was that for the building of schools?—For the building of schools and maintenance of the staff. Then there are also wants for industrial education. There is no opening for the students of the colleges except Government Service or medical employ; and there is no room for improvement in the way of technical education, so that I think the aristocracy of the province would surely come forward to aid in

anything that would benefit and educate the community. The share the Imperial Government allots to the Local Government is hardly enough for the wants of the province.

30694. When you were a member of the District Board, did you take an active part in the work, or were you content to let the Chairman do all the work?—I think that a non-official Chairman should be appointed, but it is rather difficult to find suitable men in every district to appoint as Chairmen of the District Boards. In districts where such a man could be found he should be appointed Chairman. I think the people are desirous of showing that they have ability enough to perform such duties, and Government should give them opportunities.

30695. Would a non-official Chairman have time to go round a big district?—If men considered themselves responsible they would surely devote the necessary time.

30696. You say that you are in favour of Advisory Councils for District and Divisional Officers; do you wish to see such Councils formed in addition to the existing District Boards?—Yes; the present informants of District Officers are the police, or the *girdawar kanungos*, and these Advisory Councils should be given power to express their opinions on various points so as to inform the District Officer. The District Officer should then take action. The Council should have a voice in all matters connected with administration.

?0697. You say the District Officer only gets his information from the police; but as a matter of fact does he not know many respectable gentlemen from whom he can obtain information apart from the police?—Generally the District Officers, when a gentleman comes to see them, simply says, "How are you?" and do not care to ask any questions about administration, or anything happening in the district. If all Collectors take interest and ask questions, of course they will get information.

30698. Are you not yourself a friend of the Collector?—I am when he is there, but if a Collector was discourteous to me I would not go very willingly to see him.

30699. Do the people, generally speaking, really wish for education?—They are most eager for education; they are starting educational institutions out of their private funds, and if the Local Government can get the money from the Imperial Government, the first thing it should apply it to is education in general. There should be a reduction in fees, and competent masters should be appointed.

30700. Is not the question of fees and the appointment of masters within the power of District Boards now?—The District Boards cannot keep up their hospitals and roads, and therefore have no funds for education.

30701. If they had funds, would one of their first steps be to reduce the fees?—Probably.

30702. Are you satisfied with the present system of management of primary schools?—No, it is defective. The teaching staff is not efficient; and there are no boarding-houses or play-grounds for the boys.

30703. Is the system satisfactory by which the inspectors who inspect and the masters are servants of the District Board, and the Educational Department itself exercises only a very general supervision?—The District Board should have full powers as it has at present.

30704. Would you wish for the assistance of the Education Department as it is given now?—I think that must continue.

30705. Generally is the sum and substance of your complaint that the District Board have not enough funds?—Yes.

30706. (*Mr. Dutt.*) Is it desirable that there should be a primary school in every village, or in every group of small villages?—There are schools in a big village to which the children from neighbouring villages go; but in some places the schools are only small rooms big enough to accommodate perhaps ten students, and it is necessary that larger buildings should be provided where a larger number of students could be accommodated.

30707. Are there not many villages where there are no schools at all at present?—Yes, there are.

30708. Supposing a District Board gave a small sum per month of Rs. 3, Rs. 4 or Rs. 5, would the *talukdars* or the villagers undertake to maintain a school by providing the building and paying all other expenses?—I personally would help towards it, but I cannot say what other gentlemen will do.

30709. Would the other *talukdars* be inclined to help a District Board in that way?—I hope so.

30710. Is it desirable to extend primary education under such a system of aiding primary schools?—An extension in the way of education must be made.

30711. Do you recognise the fact that the funds of the District Boards are limited, and that some sort of assistance from the villagers themselves or from the *talukdars* is necessary before education can be very much extended?—Yes.

30712. (*Mr. Hichens.*) Was it a good thing that the *tahsil* Board was abolished?—I am not in favour of that, because the local necessities were known to the local residents, and now that the work is being done by the District Boards the members will not be in touch so much with the necessities of a place.

30713. Would it be a good thing to have a Local Board if it had powers to carry out certain definite works?—It is necessary that the Local Board should come in, but they should remain under the District Boards.

30714. (*Mr. Meyer.*) Would you like Commissioners to be able to appoint tahsildars in their own divisions?—Yes.

30715. It has been said that a tahsildar's prestige would be diminished by that. Would it affect a tahsildar if he was appointed by the Commissioner rather than by the Local Government?—This prestige would be increased because the Commissioner nominates a man for a *tahsil* to the Board and a poor man is not selected for years. The Commissioner has no powers in the way of recommendation. Recommendations are made by the District Officer and go through the Commissioner and then to the Board; the Commissioner is simply like a post office.

30716. Would you like to see the Commissioner less of a post office and more like an Assistant Governor in a province?—Yes; as Commissioners they have no powers with regard to suspending revenue. In October an effort was made to suspend the revenue, but the orders were not received until December, and it was such an important thing that if the Commissioner had had power to do it, it would have taken only a week.

30717. Is it necessary to have the Board of Revenue and Commissioners too, or would you like to see the Board of Revenue done away with and the Commissioners invested with the powers of the Board of Revenue?—The Commissioner is enough for the wants, and we do not want a Board of Revenue.

30718. (*Sir Steyning Edgerley.*) Do you also think that there are not sufficient Assistant Commissioners and Deputy Collectors to permit the work being got through punctually enough for the wants of the people?—Yes. The reason is that officers now have to do both judicial and revenue work. In Bara Banki jail there are men who have been waiting for six months for trial, and partition work takes years and years before it is completed.

30719. Are the *tahsils* too big for the tahsildars to manage?—Tahsildars should have enlarged powers; they have no second class powers, they only try third class cases, and they have so much revenue work to do that they cannot devote much time to the judicial work.

30720. Should their charges be reduced?—It is not necessary to reduce the charges, but the naib tahsildars should have power to help the tahsildars to try such cases.

30721. Would you give naib tahsildars magisterial powers?—I think so.

30722. Is the class of men who are appointed as tahsildars improving?—Yes, I think so.

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30723. Might tahsildars now be appointed Second Class Magistrates?—Generally I do not think so, but those who prove themselves efficient should have those powers.

30724. (*Chairman.*) Is there any other matter you would like to mention to the Commission?—As regards the Court of Wards, estates are at present under a manager under the supervision of the District Officer, the Commissioner and the Board, and it is rather a pity that District Officers have no power to spend anything on education of wards or the welfare of a widow. They should have power to look after the interests of the wards as well as of the estate. Any proposal sent up by the manager is ignored by the Board, and any proposal sent up by the District Officer for the education of a ward is set aside by the Board and the Commissioner says nothing, as he is under the Board of Revenue.

(*The witness withdrew.*)

The Hon. Mr. R. W. GILLAN, I.C.S., was called and examined.

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30725. (*Chairman.*) You are Financial Secretary to the Government of the United Provinces?—Yes. I am also a member of the Legislative Council.

The matters with which I have to deal in my present appointment are—Financial; Municipal; District Boards; and Forests.

In matters of general principle the Government of India is not too centralized nor does it interfere unnecessarily with Local Governments. The financial codes are out of date; but in large matters the Imperial Government has given us as much independence as the circumstances of the case admit. In administrative questions examples can be quoted of what appeared to be an unnecessary striving after uniformity. It was my duty as Secretary to the Board of Revenue, for example, to draft the rules on remissions and suspensions of revenue, but cases of this kind are exceptional.

The relation between the Local Government and its subordinates depends in these provinces on the personality of the Lieutenant-Governor, and policy in most matters of administration in this country is a pendulum. It may be desirable to take steps to prevent it from swinging some day too far towards centralization, but it is difficult.

As for officers subordinate to Local Governments, we can do a good deal to strengthen their position and relieve them of work by revising the codes and increasing their financial powers—in particular in the matter of budget transfers and of pensions.

The whole of the machinery of Government is overworked. I have known many Secretaries and they were all overworked men. There are some subjects—revenue for example—which we learn in the course of district work, and which we could learn in no other way. There are others—finance for instamce, or taxation, or sanitation—which one must learn otherwise. I do not know who has leisure for an adequate study of such subjects. It is the same with Commissioners—they are absorbed in case work; with Collectors, who are taken up with reports and appeals; with Joint-Magistrates and Deputy-Collectors. It is the custom to blame centralization too much for this condition of affairs. We have to reckon also with the inevitable growth of business in every department. But the rapidity of expansion has not been fully allowed for in our establishments. From time to time there are special commissions on special branches of the administration, those branches receive recognition and are brought up to date. But the general administrative staff, though the most important of all, is no man's child and has been starved in consequence. A Secretary to Government ought not to work on Sundays. A Deputy-Collector ought not to have a vernacular clerk in each corner of his room taking down evidence in the cases which have been put down for "hearing." The first essential of decentralization is leisure.

If we are to do any substantial good, we shall be faced with the necessity of a root and branch revision of the present staff and a large expenditure. At the same time there are possibilities of diminishing the work as well as of increasing the staff. Thus in the matter of rules and circulars, there are certain matters in respect of which rules can scarcely be too detailed, such as accounts procedure. But there is a tendency for all rules to be cast in the same mould, whatever their subject matter may be, alike for subordinates and for responsible officers. There is a great scope for the revision of our numerous manuals and codes, and we could do much to minimize the paralyzing effects of rules, and show officers that rules are meant to assist, not to hamper, by altering their form even if we did not change their substance. Another direction in which we can reduce work is by the extension of informal correspondence, free exchange of files and so on, between offices.

There is a great deal of reduplication of work in all offices, I do not know that we recognize sufficiently the influence in the administration of the *offices* as distinct from officers. The influence of the clerk is insidious and extensive. The codes are the coral reefs that bear witness to his activity. A clerk has a rooted belief in the efficacy of having a thing done over and over by as many men as possible. For instance, a fair copy of a letter is compared by the clerk who types it and another, but this is not sufficient; the fair copy must go to the superintendent before it is submitted for signature. The manuscript to be printed in the proceedings of Government is edited by a junior clerk, by the superintendent of the department, by the Registrar of the branch, by the Under-Secretary. It goes to press. The proof comes back and in the Secretariat goes the round again from junior clerk to Under-Secretary.

It is possible that the same principle of duplicating work has operated largely in our audit system. There certainly is a great deal of copying out of accounts and sending them to different offices—departmental and audit—and comparing the copies, and finding out variations and sending down "discrepancy memoranda." There is a great deal of signing and countersigning in two or three places on duplicate bills of various kinds. I do not pretend to say how far all this is necessary. But there is a very strong and general feeling that the Audit Department needs overhauling. I am not aware that any revision has ever taken place. And it is the fact that it is in the Audit Department that the clerk finds the greatest scope for his activities.

The village community is no longer a factor in practical politics. With the disappearance of pressure from without it has lost coherence and unity of purpose. We are bound to deal more and more with the individual and less with the community, and it is the absence of real representatives of important classes that is one of the great difficulties in the way of communication between Government and the people. I do not think that any advantage would be gained by the creation of District or Divisional Councils. New aggregations may form themselves. It does not seem to me that we can take much share in the reconstitution of society, but we can associate more individuals with the Government. The question is of great importance, both administratively as a relief to the regular courts and politically. We should strive also to work into our system men from the lower levels of society—village representatives of the tenants and petty landlords. The *lambardar* was an intermediary between Government and the people, but an intermediary whose position rests on the joint responsibility for revenue cannot much longer retain his influence. The disappearance of the *lambardar* is to be regretted; the question is, how can we provide a substitute?

The new aggregations for which we are responsible are the Municipal and District Board. Personally I agree that the outlook is hopeful, and I would not on any account diminish the share in the administration which local self-government has given to the people. But improvement is a slow process, and there is need of patience. I think we have done as much in these provinces as circumstances permit to increase the power and responsibility of Local Boards. To do more at present would be to outrun the capacities of the Boards, and an artificial hastening of the process of development could only end in disaster.

30726. You say that the Financial Codes are out of date ; will you explain what you mean ?—The codes were made at a time when the financial arrangements of the provincial and Imperial Government were much stricter than they are at present.

30727. At what date were the Financial Codes framed ?—It has been a gradual thing ; there have been many additions to them ; I do not know exactly when they were started.

30728. You are not referring to one particular document, but to an aggregation of rules which govern you ?—That is what the codes are ; I refer to the Civil Service Regulations and the Civil Account Code.

30729. Is your provincial budget made up by the Heads of Departments ? — Yes ; the miscellaneous estimates do not come into any departmental budget.

30730. The budget is not made up by the Commissioner or the District Officer ?—No, except as to miscellaneous estimates ; the miscellaneous estimates are compiled by the Accountant-General from the materials supplied to him from the various districts.

30731. Is that part of the duties of a District Officer ?—As far as these heads go.

30732. Do the Heads of Departments make up their estimates from details supplied to them by District Officers ? — Yes ; they send consolidated statements to the Accountant-General.

30733. Do the rules give any latitude at all to Commissioners or District Officers to remit or suspend revenue ?—They can only postpone it, but that has not the legal effect of a suspension ; in that matter we are rather tied down by the provisions of the Tenancy Act which we are thinking of amending. It is a provision of the Act that rent can only be suspended or remitted when revenue has been suspended or remitted by the Local Government, so that we have to get an order for suspension and remission of revenue by the Local Government before anything can be done with the rent. We suspend the revenue first, and in proportion to the suspension of the revenue, so the rent is suspended ; we do not start with the rent, we start with the revenue.

30734. You say you could do a great deal to strengthen the position of subordinate officers by reducing the codes ; can you do that yourselves ?—No, not the Account Codes. They are entirely under the Government of India.

30735. Have you no power at all in your own hands ?—There may be a few small things in which we have power, but they are only minor points. I think there are some sections for instance which empower us to delegate powers with regard to travelling allowances.

30736. In that particular have you made any beginning ?—Yes, something has been done. For instance, Commissioners have power to appoint temporary establishments and assistants of various kinds, and various other Heads of Departments have similar powers to sanction payment of travelling allowances to inferior servants, and to sanction permanent advances to subordinate officers.

30737. Were these concessions made quite recently ? —I am not sure.

30738. How long have you been Financial Secretary ?—Only five months, and it was done before my time.

30739. You say there is a good deal of reduplication of work in the office ; does not that lie entirely with the Head of the Department to remedy ?—Yes, entirely.

30740. Who is reponsible for the conduct of a department ?—The head of it.

30741. Why do they not do these things themselves instead of bringing them before us ?—They are things that gradually grow up, and are difficult to deal with.

30742. Then, again, you say that the influence of the clerk is insidious and extensive ; has the Head of the Department no control over the clerk ?—Undoubtedly, but it is because things happen without being noticed at the time. It is not what happens all at once, but it is a gradual process.

30743. Would it be a good thing if from time to time the Local Government appointed a Committee to see what was going on in the way of centralization and multiplication of work ?—That what has been done here. Mr. Impey was put on special duty four or five years ago and went through all the various returns and reports that were required from different officers, and he cut down a great many of them. That was in connection with the general enquiry which was made by the Government of India with regard to the reduction of official reports.

30744. And it would appear that something remains to be done still ?—Yes, I should say so, certainly.

30745. Have you been a District Officer lately ?—No, I have not been a District Officer for a long time ; I have had very little district experience.

30746. Have you been employed mostly in the Secretariat ?—No, I was Settlement Officer for five or six years, and then I was Secretary of the Board of Revenue.

30747. How long is it since you have done actual district work ?—I was in a district for a few months in 1902. I first of all went to settlement work in 1905, and I was engaged in district work up to that time.

30748. A geat deal of evidence has been given to the effect that it would be well in the general interests of a province that the Collector of a district should cease to occupy, as an official, the position of Chairman of the District Board or the municipality ; what have you to say as to that suggestion ?—There are a great many places where a private person would not be obtainable as a Chairman in the first place, and secondly we have not much experience in these provinces ; there is only one municipality where there is a non-official, and we cannot say from that experience that we are encouraged to go further into the matter at present.

30749. In that case is it not a success ?—No, it is not. Things are generally not well looked after, there is a slackness in the administration, and great delay takes place in carrying out necessary works. They have a drainage scheme there which has taken a very long time to carry out, and with regard to which there are constant delays still occurring.

30750. Do not most drainage schemes of any magnitude take a considerable amount of time to carry out ?—Yes, they do.

30751. Has there been a greater amount of time taken up with regard to the drainage scheme in this particular municipality to which you refer than in other places ?—The delay has been very marked, three or four years.

30752. Then does this particular example which you have quoted lead to infer, speaking generally, that it would not be desirable in the interests of good government to take away from the Collector the Chairmanship of a municipality or District Board ?—Yes.

30753. Would you make any exception to that general rule ; would not large towns be capable of supplying non-official Chairmen ?—That is the point which we had recently to consider in the cases of Allahabad and Cawnpore. Both the municipal and district work there is too heavy to be done by one man, and the Lieutenant-Governor has been considering what he ought to do in the matter. He was of opinion that he would not be able to get a sufficiently good man in Allahabad or in Cawnpore to be the Chairman of such an important municipality, and he proposes to put an official as Chairman of the Municipal Board.

30754. So that even in larger towns is it your view that capable non-official Chairmen are not to be found ?—I think that is the Lieutenant-Governor's view certainly. That is my view too.

30755. With regard to the budgets of municipalities and District Boards, do they come up to the Financial Department ? —The budgets of District Boards, first class municipalities, and of municipalities indebted to Government, are submitted to Government ; the budgets of other municipalities are disposed of by the Commissioner.

30756. Could a Commissioner dispose of the budget of a first class municipality provided it was not in debt ?—I think it would be better in that case that the budgets we wished to see should be specified.

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30757. And that the rest should be left to the Commissioner?—A great many could be left to the Collector and need not go to the Commissioner at all, very few of them really.

30758. Would that apply to District Boards as well as to municipalities?—The Commissioner ought to see the budgets of the District Boards. They look after very important matters of administration, education and Public Works, and so forth, and it is a much larger business, but there are a number of small municipalities as to which it seems unnecessary to me that the figures should go beyond the District Officer.

30759. Are there more grants made to municipalities for sanitary and kindred purposes than to District Boards?—No, we give hardly any money to municipalities.

30760. Do you not give them money for special purposes?—Very few indeed—that is a matter for which we are anxious to get money from the Government of India.

30761. Can you make grants without raising loans, or do you want to make them out of revenue?—They get large sums from us in loans. To the District Boards we give direct contributions which are not loans.

30762. Is all this growth of self-government in the shape of District Boards and municipalities of modern development?—Yes, it is all within the last thirty years.

30763. It is not the revival of an indigenous system of government?—Not at all; it is a new thing.

30764. With regard to panchayats which it has been stated it would be desirable to revive if possible, or to create for the purpose of developing village autonomy, —what have you to say?—The village community has lost its coherence; it is no longer a real power, and it is rather useless trying to strengthen it.

30765. Would it be a waste of time to try and revive it?—I am afraid it has gone.

30766. Is there a spirit of disintegration existing which it would be impossible to stop?—That is my view.

30767. Does any of the work of the Sanitary Board come before you?—Yes, the schemes that they pass come to us in the Municipal Department.

30768. Have they any power of sanctioning schemes definitely?—They sanction them on the technical side; they always require the sanction of Government.

20769. After they have left the Sanitary Board do these schemes go on to the Public Works Department for further criticism there?—No, they are sent to us administratively.

30770. Do you send them to the Financial Department for criticism?—No, they are in the same branch of the Secretariat, and are disposed of in the Municipal Department.

30771. Is that simply because you also happen to be the Financial Secretary?—It does not affect province finance at all except so far as a loan is concerned; we have to find the loans.

30772. And therefore being both Financial and Municipal Secretary you settle the matter at the same time?—Yes, that is so.

30773. But the Sanitary Board has no power of sanctioning details on purely technical issues?—Exactly.

30774. Is that a satisfactory system?—I think it is necessary for the Government to look at the work proposed, or the project.

30775. Could you suggest any simplification of the present system?—I do not think so; it is necessary to have the technical advice of the Sanitary Board, and it is necessary to have the administrative decision of the Government in these large schemes.

30776. Does the Sanitary Board move about?—No. I think that was contemplated in the rules which were originally made for it, but it has never been carried out in practice.

30777. Are you satisfied with the present system and the relations between the District Officer and the forest officer?—Yes. I have never heard of any complaint in these provinces.

30778. Is it necessary that the working plans of every forest should go up to the Government of India?—I do not know about the technical side, which is looked at by the Inspector-General of Forests. They send us the working-plans here, and it always strikes me as rather unnecessary that they should do so because they are sanctioned as a matter of course, but I do not know what is done with them by the Government of India—there might occasionally be some administrative question.

30779. Is the reference to you of these working plans unnecessary and might be dispensed with?—I have never seen any case yet in which it was necessary to interfere or on which any point arose for our decision.

30780. (*Sir Steyning Edgerley.*) You represent that the twenty years' rule for repayment of loans is rather too rigid?—That was stated in the Government letter. Personally I do not agree with that, as the twenty years' rule is laid down simply because it is not economical to have a longer time fixed.

30781. Do you know what was in the mind of Government in the way of substitution?—There are cases in which municipalities are not able to repay in twenty years, and in which we recommend to the Government that they should be allowed to repay within thirty years; possibly the Local Government meant that an option in the matter might be left to them.

30782. Has Government any power with regard to taxation by District Boards for the construction of light railways?—No.

30783. Suppose a feeder railway extended over more than one district, are there any means of co-operation between two or three Boards in whose districts the railway might happen to be?—In a case of that kind each of the Boards would be authorised to levy a cess, and on the basis of that cess they would be able to guarantee the interest on the whole railway jointly.

30784. Can they co-operate for such a purpose?—I do not know whether there would be any legal difficulty.

30785. Is there any idea here that Government should have the power of imposing such a cess for such a purpose?—I have not heard it raised.

30786. The Government letter suggests that the Government might possibly borrow for industrial or commercial purposes—what does that refer to?—There is a case at present of a glass factory which has been started.

30787. Do you mean that they might be able to furnish money to support new industries in a province so that they might get a foothold?—Yes.

30788. But not to develop things which are already running concerns?—In this case the factory is a running concern, but it is the first of its kind. There have been several attempts to start glass factories which have all failed hitherto, but this is a promising concern, although it has not enough capital, and we think it would be a very good thing if we could make that concern a loan in order to develop the industry.

30789. And you would not lend money except in cases of that character?—No, it is only to meet cases of that character.

30790. Supposing a radical change in principle is made, and, that whereas the principle hitherto has been that every power which is not expressly given is withheld, the principle should be laid down that everything which is not expressly withheld belongs to Local Government; would you advocate a revision of the codes on that basis?—Yes.

30791. You also advocate that any power which the Local Government possesses they should also have power to delegate as they chose?—Yes.

30792. They would be responsible to the Government of India for its exercise, in fact, either by themselves or by their subordinates?—Yes.

30793. It is also suggested that there should be a thorough examination of the methods of the Audit Department. You say that you do not know if anything of the sort has been done, but is it quite possible it may have been done without your being aware of it?—Yes, I do not mean to say that it has not been done.

30794. Another witness has suggested that there is inconvenience in the rule requiring sanction in cases where the cost of a scheme is over Rs. 25,000 a year: that limit is apparently applied to any revision of district establishments simply because it extends over more than one district, with the result that you cannot revise establishments gradually as the funds accrue without going up to the Secretary of State, because the province and not the district is regarded as the unit of the scheme—have you anything to say with regard to that?—That is when the cost of one scheme amounts to more than Rs. 25,000.

30795. The scheme quoted was for revising the pay of the village officers — the patwari establishments throughout the various districts of the province?—But you must look at the scheme as a whole; otherwise you could split up any scheme into items smaller than the maximum allowed.

30796. But is not each district establishment self-contained?—I think it is right when one goes up with a general scheme, which in the aggregate amounts to more than a certain sum, that it should have the sanction of the superior authority.

30797. You think you ought to put all the districts together in a scheme of that sort and treat them as a whole?—In the case of the patwari establishment I think it was done gradually.

30798. It was apparently done gradually, but was stopped, and the Local Governments were told they would have to go up to the Secretary of State—have you anything to say about that?—No, I have nothing to say on that point.

30799. You suggest that the policy on most matters of administration in this country is pendulum-like—does that mean that there is an undesirable want of continuity in the administration of the provinces?—I think that effect can be clearly traced in the discussions on most large questions.

30800. Are all the requirements as to proposition statements in effecting a revision of establishment necessary?—I cannot say about that. It is an audit requirement.

30801. Does it give you any considerable amount of trouble?—Yes, it does frequently, because they have to set out the whole of the present establishment even if they require to make only one minor addition.

30802. Have you ever sent anybody to other provinces to see how the larger municipalities are managed there?—I do not think so.

30803. Would it surprise you to learn that there are municipalities with populations of 150,000 to 200,000, such as Ahmadabad and Karachi, managed by non-official Chairmen in other provinces?—I do not know, of course, who the non-official Chairmen are in those places. I can only say that we have tried in the large cities of this province, and we have not been able to find them.

30804. Would it not be a good thing to send people to other places to see what is being done there?—Yes, it might be enquired into, certainly.

30805. You are not in favour of making any attempt to resuscitate village administration?—I do not think it would be successful.

30806. Could you do something with rather large villages, or groups of villages such, for instance, as the villages which frequent one market town? Might they form a small local area and be allowed to manage their own ordinary affairs to some extent?—We have local management in small towns now, but I do not know that anything would be gained by adding to them surrounding villages.

30807. (*Mr. Meyer.*) Have not the Government of India issued instructions within the last few years that when you send up proposals to increase an establishment, you can send them in abstract when you are not making any very large additions, and that you need only put in the section of your office or establishment which you are revising?—No, I have not seen it.

30808. Is not the rule with regard to the Rs. 25,000 limit intended, rightly or wrongly, to give the Government of India and the Secretary of State some contol over large provincial expenditure?—Yes.

30809. Are not the largest amounts of expenditure those which are incurred on establishments scattered about through various districts, such as police, patwaris, &c.?—Yes.

30810. Therefore if you adopt the suggestion of treating each district as a compartment, would not the entire intention as to control be evaded?—Yes.

30811. Are you in favour of borrowing by a Local Government?—No, I do not see any advantage in it.

30812. Or that a Local Government should have powers to guarantee interest on loans for light railways or other works undertaken by private enterprise?—We have suggested that the District Boards should give that guarantee.

30813. But there is also the alternative that the Local Government might do it?—It falls more properly within the province of a District Board.

30814. Even when a railway runs through two or three districts?—In that case those districts ought more properly to give the guarantee.

30815. Are you in favour of District Boards being empowered to raise a railway cess?—Yes.

30816. Have any proposals been made in that direction?—No, not as far as I know.

30817. Is not that a sort of platonic affection for a railway cess?—At present we have not enough power under the Act.

30818. But you could always amend your Act?—It has only recently been amended.

30819. Referring to the case of the glass factory you mentioned, is it your idea that the Government should take shares or debentures, or make a loan, or what?—Make a loan.

30820. To be paid within a certain time?—Yes.

30821. Is not every new enterprise always painted in the most glowing colours by its promoters?—It is a question which would be enquired into; in this particular case we might give the money on a mortgage of the property and see that the repayment is secured; we should not be giving it simply in order to help the company, but what we want is for them to train glass experts for us, and that is one of the things which we propose they should give us in return for the loan.

30822. Will it not be rather difficult to draw the line; when once you begin to aid one gentleman in his meritorious private enterprise you will have a lot of other claimants?—It is a question for Government to examine into each case and see whether it is worth while to do it from the general view of the industrial interests of the country.

30823. Are you prepared to make a plunge and to risk half a dozen people coming to you for every one man you assist?—Certainly.

30824. And you do not think there will be any howling from other people whom you have not assisted, and complaint that Government is interfering with private enterprise?—There will be difficulties, certainly.

30825. With regard to the accounts restrictions, are the complaints generally in such matters as accounts being required in duplicate and triplicate, and signatures being required here and there, and the countersignature of the Commissioner being required to the Collector's travelling allowance bills, and so forth?——Yes.

30826. Do not all those matters practically rest with the Local Government?—I do not think the countersignature does.

30827. Does the Government of India require that the Commissioner shall countersign the Collector's travelling bill?—The Local Government can say who is to be the countersigning officer.

30828. Therefore if the Commissioner is the countersigning officer the responsibility lies with the Local Government?—We could only put some other officer in the place of the Commissioner.

30829. But you could let the Collector countersign his own travelling allowance bill?—No, I do not understand that.

30830. Would you be surprised to learn that I, as a Collector in Madras, have habitually countersigned my own travelling allowance bill? With regard to the accounts being in duplicate or triplicate, that means that one set is required for the Accounts Office and

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another set for another office, and so on, but cannot the Local Government step in there?—In what way? One is required by the Accountant General.

30831. And the other two are required by some other people outside—cannot you say they are not wanted?—That I cannot say.

30832. As far as you are concerned, the complaint is without due weight because you have not gone into the matter?—It is a complaint generally made.

30833. But it is mere hearsay as far as you are concerned?—It is.

30834. You speak as if you agreed entirely with the suggestion that it would be a very good thing if accounts were habitually inspected; are you aware that they are habitually inspected, and that there are two Deputy Auditors-General of Accounts?—Yes, that is on the audit side.

30835. They go round and look into matters?—Yes.

30836. It is also alleged that the tone of the Accounts Officers' objections and communications is discourteous—do you hold that opinion?—I have never had any such experience.

30837. Are not the grounds of objection, and so forth, stereotyped in about twenty-five or thirty cases?—Yes.

30838. You mention the Government of India remission orders of 1905 as a matter in which the Government of India interfered unduly, but was not the intervention, such as it was, entirely in the direction of liberality?—What we objected to was that they went too far in the matter of laying down detailed rules which we found it very difficult to carry out.

30839. As regards remissions, did they not merely say that a loss of so much of the crop should be considered as entitling the owner to full remission, and that loss of a smaller proportion entitled him to half remission, and so on?—They went into very great detail.

30840. But did they not leave each province liberty to make its own detailed rules?—We made the rules, but we had to send them up to the Government of India.

30841. Did they not introduce a more liberal system with regard to various items of remissions and suspensions that you had hitherto had in this province?—No, I do not think it was more liberal, but it was not on a question of principle that we objected to those orders at all; it was simply that besides laying down principles to be followed they also laid down directions on a lot of minor points on which we found it ultimately difficult to make rules—especially on matters of procedure.

30842. Here nobody except the Lieutenant-Governor can remit a single rupee?—Yes.

30843. That is not the fault of the Government of India?—No, it is the fault of our Act.

30844. Would you be prepared to give considerable powers of remission to Commissioners?—I should, certainly.

30845. Would you be prepared to give Commissioners budgets of their own, especially in regard to Public Works matters?—I have not considered it properly with regard to Public Works, but I do not see how they could have a divisional budget very well.

30846. Do not all provincial works go up to headquarters now?—All major works—anything costing above Rs. 2,500.

30847. Is there a general scramble on the part of all the districts?—Yes, that is about it.

30848. You must keep a certain amount at headquarters for reserve, but the proposal is that the rest should be left to the discretion of the Commissioner by whom it should be allotted—do you see any objection to that?—It would be better for the whole Public Works budget to be gone through at headquarters to start with.

30849. It has also been suggested that the Commissioner should have a certain budget allotment within which he might create temporary, or possibly permanent, appointments to cope with pressing work—would you be in favour of that?—Yes, I would give him allotments for that purpose, certainly; he has allotments for various purposes at present with regard to temporary establishment.

30850. What is the amount?—It is not fixed; the Board get an allotment in the first place which they distribute over divisions according to their necessities.

30851. Is the practice that the Board hands over a certain amount which the Commissioner passes on to the Collector, or does he keep it in his own hands?—The Commissioner keeps it in his own hands.

30852. What do you give the Board?—About a lakh and a quarter next year.

30853. For temporary establishments?—Yes, but the amount will be exceptionally heavy next year because we want additional establishments for collecting the enormous amount which is outstanding. Normally the allotment is about Rs. 75,000.

30854. So that normally there would be about Rs. 8,000 for each division?—But the Board keep a reserve.

30855. Then Rs. 5,000 for each division?—Yes.

30856. Is that sufficient, or would you increase it?—It is sufficient for the temporary establishment which at present they have power to maintain, but we hope to give them further powers with regard to temporary establishments.

30857. Do District Boards or municipalities have to come up to the Commissioner for any re-appropriations after the budget is passed which they desire to make?—No, they re-appropriate within minor heads themselves.

30858. Do you mean with regard to a sub-head under education?—They have their own budget heads.

30859. But they follow the provincial budget heads to some extent?—No.

30860. Can you give an example of what would be a minor head?—In the municipal budget you would have office establishment, collection of taxes, conservancy, Public Works—those are major heads.

30861. What would a minor head be?—Taking Public Works, for instance, you would have maintenance and repair of roads, and so on.

30862. Then within a major head they can re-appropriate from one minor head to another, but when it comes to re-appropriation from one major head to another major head they have to go to the Commissioner?—Yes.

30863. Is that always necessary?—In the case of District Boards it is necessary because they are dealing with such very different things. It should not be necessary in the case of a municipality.

30864. (*Mr. Hichens.*) It has been suggested that it would be better to give District Boards a fixed annual contribution instead of the present indefinite amount which they get from the Government—what would you say with regard to that?—We have done that here. We have given them a three years' contract.

30865. But at the end of that time has the matter to come up again for revision?—This is the first time it has been done; I have no doubt a further contract will be given at the end of that time if necessary.

30866. Is the contract for a sum which represents their requirements in each individual case, or is it based on any principle?—It was calculated so as to cover their necessary expenditure.

30867. So that one District Board may get very much more *pro rata* than another?—Exactly; there are two or three Boards which get no contribution at all, because they have already sufficient funds of their own—those are the larger and richer Boards.

30868. The suggestion rather was that there should be some definite principle laid down on which the Government should contribute, so that each Local Board should not be dependent so much on the charity or goodwill of the Government—what do you think of that?—At present the main revenue of District Boards is derived from the rates, and we appropriate from that for Government purposes at present merely the amount paid for the rural police, but we are hoping that some day we may be able to do away with that re-appropriation, and that each Board will stand on its own footing and enjoy its own income.

30869. You mean that each Board will get the cess collected within its own area?—Yes; it does to a certain extent get that now minus the appropriation; if the appropriation was done away with, it would be absolutely independent, except that a very few of the Boards would still require something from Government to keep them going.

30870. If the Boards got the total amount of cess collected in the area, would it not be necessary to make a contribution?—It would not except in two or three districts.

30871. A general complaint made to us is that the incomes of the Boards in many places, even with the contributions they have from Government, are inadequate—do you agree with that?—I do not think that is the case now.

30872. For example, in the matter of primary education have they sufficient resources? — There they have almost unlimited scope and I do not think we could give them money enough for that. They certainly have not enough money themselves at present to give the fullest scope to that or indeed a full scope.

30873. Is it your idea to try and do away with the Government contribution altogether? — With the appropriation from local rates.

30874. Another point which has been made is that a District Board at the present time has no powers of taxation; do you think that it should have powers? —I have not considered that point.

30875. Should steps be taken in order to develop some sort of public spirit in villages, or do you think they should be left alone?—We want more to get hold of individuals with whom we can keep in touch. I do not know whether it would be possible to have anything in the way of village officers as they have in Madras, but that is the only thing which has ever suggested itself to me.

30876. You would admit that it would be sound for villages to manage their own affairs?—It would be very desirable, but I do not know that it has really existed in any very large part of this province.

30877. Is it a thing which should be aimed at?—It is a thing we have done our best to maintain under the Revenue Law by strengthening the position of the *lambardar* or the village headman, but it has not met with much success.

30878. Are there no steps which you can suggest for developing a feeling of responsibility in villages? —I am afraid not.

30879. Who is responsible for framing the expenditure of the provincial budget generally or for compiling it?—The Heads of Departments.

30880. Whom do they send their estimates to?—To the Accountant-General, who passes them on to us.

30881. But in the initial stage in almost all cases the expenditure would be very much larger than the revenue side of the account. Who does the cutting down?—The Local Government.

30882. Are you responsible for putting before the Lieutenant-Governor some general policy with regard to expenditure, for instance, that it is desirable to have at least a given sum each year to spend on Public Works and a given sum to spend on education, and so forth?—I do not know that it is looked at in that way; we get the demands of the different departments, and we see how far we can carry them out. We do not start by saying that we are going to give so much to education—we do not determine that before the budgets come up to us.

30883. But when they come up the relative claims of Public Works and education must be considered from the point of view of policy; do you make the recommendations?—The Public Works budget is in practice left till the last, and that takes what it can get.

30884. Is much left over by the time you get down to the Public Works?—It varies very much from year to year. For the present the bottom of provincial finance has been knocked out altogether by the famine.

30885. We were told by one witness that the revenues which have been allotted to this province were not expansive—would you endorse that statement?—I do not think that is correct. It is estimated that there will be a considerable increase of about eight lakhs a year under the new settlement; the last settlement has just been revised.

30886. Will it progress automatically from year to year?—Yes, undoubtedly.

30887. Can you impose a railway cess without violating the terms of the revenue settlement?—I do not think it would conflict with that at all.

30888. Would it conflict if you increased the ordinary cess?—I do not think there would be any objection to that at all. These rates have been decreased during the last few years—they were very much higher at one time.

30889. In the settlement is there any definite agreement that the cess should be a fixed amount?—No.

30890. A witness said that if District Boards were given powers to levy a cess according to their own wishes within certain limits that would be against the terms of the settlement—would you endorse that statement?—No; that is not correct.

30891. Would it be a good thing to give a District Board power to vary a cess from year to year in accordance with their requirements?—It is better to have the same rule throughout the province. It would not be a wise thing to have one rate in one district and another in another, and it would be the poorest district as a matter of fact which would have to pay the heaviest cess.

30892. Would it not give them more financial responsibility if they were made responsible for making both ends meet?—Yes; that is the direction in which things are tending; they are being made more independent; their funds are about to be excluded from the public accounts for instance, and they will be able to deal with their budgets much more freely now.

30893. Is not it a very important thing if you are giving people administrative responsibility to combine financial responsibility with it?—Yes, certainly, and they are getting that.

30894. Would you advocate giving them powers to collect cess of varying amounts within certain definite limits, somewhat on the analogy of the municipal assessment rate?—I do not think so. One objection would be that it would fall heaviest on the poor districts, and in the richer districts they could really do with perhaps a smaller cess than they are levying now.

30895. How do you obviate that difficulty as between a rich and a poor town with regard to municipal finance?—The municiple incidence works out very much higher in richer towns like Cawnpore than in a smaller municipality.

30896. But you go on the principle that a town, rich or poor, must stand on its own resources?—Yes.

30897. Do you not think the same rule should be applicable with regard to the districts?—I should not like a heavier rate.

30898. You say that the codes require amendment; do the suggestions which are made in these schedules cover all that is required in order to give complete satisfaction to the Local Government?—They are not exhaustive, but they are as many as we could get together—they indicate the general lines on which we would work.

30899. For example, in matters such as travelling allowance, does the Government desire to have more freedom?—In the matter of travelling allowances what the code should do is to lay down general principles and to impose any restrictions that are found to be necessary, leaving the carrying out of the general principles to the Local Government.

30900. The Government letter states that the powers of the Local Government are entirely restricted in matters of detail, but it does not lay down any principles. Is it intended to convey that matters of principle only should be deal with by the Government of India and that the details should be left to the provincial Government?—Yes, that is so.

30901. In the case of travelling allowance, for example, is the general principle one that might be laid down by the Government of India without difficulty while the Local Government might be entrusted to carry out the details?—Yes.

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30902. In the matter of expenditure under provincial heads it is necessary that the Government of India should approve any extra expenditure you desire to undertake?—You must have a limit.

30903. (*Mr. Dutt.*) Is the deduction on account of the rural police made under any section of the new Local Self-Government Act?—It is made under the Local Rates Act.

30904. Has not a new District Boards Act been recently passed?—Yes.

30905. Does the deduction cover a large proportion to the whole proceeds of the cess?—It is about a third. It comes to a very considerable amount, about 22 lakhs.

30906. Is it proposed to stop that in the future?—That is what we hope to do. I think a proposal was sent to the Government.

30907. Does the Government deduct any portion of the proceeds for the trouble of collecting the cess?—No.

30908. You suggest empowering District Boards to impose a cess when railway lines are undertaken by them; do you propose that that cess should also be added to the land revenue in proportion to the revenue?—It would be probably collected as some percentage of the land revenue.

30909. That is to say, it would fall entirely on the zamindars and cultivators?—Yes.

30910. And other parties, money-lenders and professional men, would go scot free?—I do not know that they would; they are all interested in it, most of them have some land, and they would not probably escape altogether.

30911. But there are many money-lenders and professional men who are not landowners at all, and they would not be taxed at all for a thing which would benefit the whole population; would that be fair?—I do not see how else one can do it. I understand that is already in force in Madras.

30912. My question was whether you thought it was fair?—As a matter of fact, I do not suppose any cost would fall on anybody because it is extremely unlikely that the Board would have to levy the cess.

30913. But supposing it had to be levied, would you make only those two sections of the population responsible, and if so, would it be fair?—In the last resort it is not quite fair.

30914. You have spoken of some drainage work in a certain town—was that a large work?—Yes, a very large work, involving an expenditure of many lakhs of rupees.

30915. Do not such drainage works generally take a large number of years to complete?—They do.

30916. Therefore is the delay in this particular case due to the fact that the Chairman of the municipality is a non-official?—I only gave that as an example of the general delay which does occur in the administration of that particular municipality; the drainage scheme there is not nearly finished yet; it is not a matter of computing how much time it has taken.

30917. I understood you to say that there was delay because the Chairman was a non-official?—It is an instance of the general delay that takes place in disposing of the business there.

30918. Do you attribute it to the particular fact that the Chairman happens to be a non-official?—What I said was that it is the only experience we have in this province of the condition of affairs where the Chairman was a non-official.

30919. But you recognize the fact that in most towns where large drainage works are undertaken they must necessarily take a large number of years to complete?—Undoubtedly.

30920. And the finances of the town might not suffice to bring such a large work to completion in one or two years?—That is undoubtedly the case.

30921. At present do your Deputy Collectors try all rent cases and revenue cases and also criminal cases?—Yes.

30922. It was said that rent cases might be transferred to the Civil Courts as in Bengal—what is your opinion with regard to that?—You do not want the whole machinery of the Civil Procedure Code applied to these cases; we have gone too far in that direction already. I would suggest Revenue Courts as we have at present.

30923. Would you leave the present system undisturbed?—I should leave them to the Deputy Collectors as they are now.

30924. You say that Deputy Collectors are overworked and that the present way of conducting the work is not satisfactory?—It is extremely unsatisfactory.

30925. Have you any suggestion to make in remedy of that state of things?—We want a larger staff.

30926. Was it part of your duty as a Settlement Officer to ascertain the existing rental of each estate?—Yes, it is entirely on the rental that we assess.

30927. Did you take the existing rental as the basis of assessment in every case, or did you revise it for the purpose of assessment to land revenue?—We revised it in the case of what are known as occupancy tenants, because with practically no exception their rents had remained unchanged for thirty years, while the rents of the competition tenants had been increased enormously.

30928. So that your revision had the effect of raising the rents before making the assessments?—Yes.

30929. Is that according to the Land Revenue Code of this province?—Yes; the occupancy tenants of course are always liable to enhancement under certain rules, but they are particularly liable to it at settlement.

30930. In ordinary times when the zamindar wants to enhance his rents has he to go to a Rent Court?—Yes.

30931. And when he has not done that, and the time of the settlement has arrived, do you take it upon yourself to enhance the rent before making the assessment?—No, he has to sue his tenants.

30932. Supposing he does not bring a suit to you, do you then take it upon yourself?—No, we cannot enhance the rent merely by an order, unless he sues his tenants.

30933. You say that you are bound to deal more and more with the individual and less with the community. Do you not recognize that one of the objects of the administration is to teach communities to help themselves and to raise themselves and learn communal work?—Yes, but I meant that we are doing that on different lines, not on the lines of village communities, but in the shape of municipalities and towns.

30934. But it is teaching people communal action?—Yes, undoubtedly that is our object.

30935. So that you recognize that as one of the main objects of administration?—Yes, I am entirely with that.

30936. Have you any suggestion to make towards furthering that object at present either with regard to municipalities, District Boards, or village communities?—No, there are only some very minor points as to increasing the powers of District Boards and municipalities.

30937. (*Sir Frederic Lely.*) Does an administration report go up from each and every municipality to Government?—It does at present.

30938. It goes to the Collector, then to the Commissioner, and then to the Board of Revenue and so to the Secretariat?—It does not go to the Board of Revenue.

30939. Is each officer it passes expected to review it and make a memorandum upon it?—No, the Commissioner reviews these reports received by him, or rather he issues orders on the points which he thinks require orders; it is not a formal review, and when it comes to the Secretariat we issue no orders except supplementing those of the Commissioner.

30940. What about the Collector?—The Collector is the Chairman of the Board and he practically writes the report himself.

30941. Does he endorse it with any memorandum of his own?—No.

30942. In the case of smaller municipalities does not the Commissioner often find it difficut to find something to say?—Then he need not say anything.

30943. And, as a matter of fact, he does not?—It is not a formal review in which he has to say something; he only issues orders with regard to points which he thinks require attention.

30944. If he passes the report on without comment is he considered to have neglected his duty?—No.

30945. Would it not be advisable to send up the reports of the larger municipalities for Government to deal with, and let the Commissioner deal with the smaller municipalities in a single resolution which will have done with them for the year?—Yes, I agree with that entirely. We do not require to see their reports every year.

30946. Would it not rather vitalise the Commissioner's work if you made him feel that he was the final authority responsible for fostering these small municipalities?—Yes, I would leave them all to him, I think; he might keep the reports by him and simply go into them when going round the district in the cold weather.

30947. Do you see any objection to the Commissioner taking the place of Government in respect to all the smaller municipalities?—It would not be necessary for him to combine their reports all in one review and it would be better to deal with them individually.

30948. You would approve of making the Commissioner the final authority for the supervision of these small municipalities?—I would entirely.

30949. Does not the Commissioner sanction all municipal budgets?—Yes.

30950. With regard to the three years' contracts with the Local Boards, under which the Government makes them a fixed assignment, is that a lump assignment which covers everything?—Yes, it covers everything.

30951. There is no special grant for roads?—No, we make a condition that they spend a certain amount of it on Public Works.

30952. Is there no special grant for medical work?—No.

30953. Or for education?—There is for what is call the six-lakhs grant for primary education.

30954. Is that distinct?—No, it is lumped up, but so much of it as comes into the contract contribution of each Board, the Board are bound to spend on primary education.

30955. Do you agree with many of the witnesses who have been called before us in saying that the community is practically extinct?—I do.

30956. Are you referring to the old village community which was a sort of family on a large scale?—Yes.

30957. Do you mean that a village is not capable of common action at all, in the same way that any number of people living side by side with common local interest would be able to act together?—I do not think they have got far enough for that yet.

30958. But any number of people living together in the same locality must necessarily have common objects and interests?—They are very often much divided in interests—the zamindar and his tenants, for instance.

30959. But they would have a common interest, in a village well, or in supplying drinking water?—Yes, we are only just beginning with that, in the matter of village sanitation we have got a very little distance.

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30960. Even assuming a village in the sense only of a modern constituency, is it not still the body which is most familiar with the people as a basis of common action?—I do not know to what object the common action would be directed.

30961. They all have a certain number of elementary common wants—the desire for water, the desire to have roads, and the desire to educate their children. You recognise a town as having common interests and being able to co-operate to obtain those objects—in the same way would you not recognise a village?—I do not think they have got far enough yet for that.

30962. Does not a man describe himself as of a particular village; he never describes himself as of a particular district or *tahsil*. Is not the village the familiar division of the community?—Undoubtedly, but I do not quite understand what the village community is going to do; do you mean it is going to look after its own school or its own sanitation, for instance?

30963. Yes, my point is that you expect a town, or a *tahsil*, or a District Board to combine for those purposes, but is it not much more natural to begin with a village?—There is nothing small enough which you could leave to a village to look after except sanitation, and that generally has to be forced on them.

30964. (*Chairman.*) You are very anxious to obtain powers to make loans to develop local industry. Is there any reason why, as it is for the advantage of the locality, you should not go to the local market and obtain a local loan for the purpose of assisting an industry?—Do you mean that this Government itself should raise a loan?

30965. Yes. You say you are against local borrowings, but you want the Imperial Government to raise loans for a local object?—I think that we should be able to draw on a central supply for anything we require.

30966. You do not think then for an object which would be of great use to a particular locality that the Local Government should tap a purely local market?—I do not.

30967. Is there any proposal to amend the Tenancy Act?—Yes, it is being worked at now.

30968. You said that the Municipal and District Board budgets are going to be excluded from the public accounts; would that reduce in any way the correspondence in the Secretariat upon those subjects?—Considerably; that is the District Board budgets; the municipal budgets are already excluded.

30969. Will it make much difference?—It will make a good deal of difference, because in the first place they send us their budgets now, and during the year they have to come to us every now and then when they want funds.

30970. Whom does that correspondence take place between?—Between the Commissioners, the District Boards, and the Government.

30971. Are not the Conservators of Forests all equal?—Yes, there are only two.

30972. Have they equal circles?—Yes.

30973. Is there any drawback in that?—No, it works all right. As a matter of fact, if any question arises on which both the Conservators' opinions are required, the senior Conservator consults the other and sends up his opinion with his own.

30974. Is that how you get the expert advice to Government on forest matters?—Yes.

(*The witness withdrew.*)

Mr. F. E. TAYLOR, I.C.S., was called and examined.

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30975. (*Chairman.*) You are Secretary to the Government of the United Provinces in the Judicial Department?—Yes. I deal with civil and criminal matters, and also police, medical, sanitation, and education.

The Government of India are ready to give due consideration to any representation that their orders are not entirely suited to the conditions of a particular province or locality; this neutralizes any tendency to excessive rigidity or uniformity, but often entails a good deal of troublesome correspondence. The letter of the Government of India on the subject of making primary education free throughout India may be referred to. In this letter, which was widely published, the Government of India made a public pronouncement on a question of policy for the application of which these provinces at any rate are not ready: and it is possible that the non-carrying out of that policy will cause disappointment among a considerable section of the public. The Government of India should take

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Local Goverment into its confidence before publicly declaring its views on a large and complicated question.

There is no complaint regarding interference by Directors-General in the administration of the departments with which I am concerned. The recent orders, however, regarding fees to Medical Officers for attendance on Indian Chiefs, noblemen, and gentlemen of high position involve centralization and increase correspondence, besides taking from the Local Government the authority which it should possess over Medical Officers under its orders. The Administrative Medical Officer of the province has to consult the Local Government as to the propriety of the proposed fee, and to forward the views of the Government with his recommendation to the Director-General of the Indian Medical Service. That officer finally decides the fee to be allowed, but has to consult the Government of India if he disagrees with the Local Government. Under the former orders, which applied to Chiefs and gentlemen in Native States, the Local Government had authority to dispose of cases where the fee did not exceed Rs. 2,000; for fees above that amount a reference had to be made to the Government of India. The Local Government's authority should be restored, especially as the orders now extend to native gentlemen in British India. It may be added that the change in the procedure was effected without the Local Government being consulted.

The right of appeal to Government in respect of administrative action does not need curtailment. It would be most undesirable to require a certificate that reasonable grounds of appeal exist.

Executive Officers have sufficient opportunities for contact with the people, and have sufficient knowledge of the vernacular. There is practically only one vernacular in the province, and, though the village dialect varies in different districts, an officer soon gets an acquaintance with it.

An increase in the administrative staff is required to enable it to adequately cope with the increased volume of work. Districts are, generally speaking, not too large, but I can quote one exception. I was in charge of the Gorakhpur district, the population of which is nearly three millions, for about two years, and found the volume of work excessive, though it did not present special intricacy or difficulty. The best solution, if feasible, would be a redistribution of districts, but this probably presents practical difficulties.

I am not in favour of the creation of Advisory or Administrative Councils, and consider that District and Divisional Officers have ample opportunities of discovering the real needs of the people better than if they were "assisted" by such Councils, for which the time is not ripe nor likely to be for several years.

Village communities here cannot be safely entrusted with administrative functions. There is a considerable non-official agency for settlement of criminal and civil disputes—special magistrates and honorary and village munsifs. The further extension of this agency is the best way of relieving the official staff.

30976. You were Under-Secretary to Government in the Judicial Department one month, in the Financial Department one month and twenty-four days, and then you became Revenue Under-Secretary. Was that constant transferring from department to department advantageous to Government?—The reason for it was that the Under-Secretary in the Judicial Department happened to go on one month's leave and I was appointed to officiate for him; on another occasion the Under-Secretary in the Financial Department happened to go away for a short time and I officiated for him. I was not moved from one department to the other, but simply came in for a short time from my post of Assistant Magistrate to act in their absence.

30977. Which department of the Government of India issued the letter to which you refer on the subject of primary education?—The Home Department.

30978. What department issued orders on the question of fees for Medical Officers?—That came also from the Home Department.

30979. In each case you would represent that the letter and the orders respectively were issued without consultation with the Local Government?—That was so.

30980. (*Mr. Hichens.*) It has been stated that recently secondary education has been removed from the control of the District Board and returned to the control of the Government; is that so?—The change is about to be made; the proposal is to introduce the change as from the 1st April next.

30981. Has that change been made on the ground that the Boards were inefficient as regards the control of secondary education?—The change has been made in consequence of a letter which came from the Government of India in which it was represented that it was in the interests of secondary education that there should be in every district a Government high school which would serve to set a standard to which the other English schools in the district would conform.

30982. Is it due to the representations then of the Government of India that the change is being made?—Yes, it originated from the Government of India, but the educational Department and the Government also are in favour of the change.

30983. It has been said in some provinces that the District Boards are much more likely to take an interest in secondary education than they are in primary education, and one reason given is that it affects the members more closely, and that their own children attend the secondary schools; what would you say to that?—In speaking of secondary education we have to draw a distinction between English schools and vernacular schools. In these provinces we do not consider all vernacular schools as primary schools and the knowledge of English is not so widespread here as it is in other parts, the result being that there is a considerable amount of secondary education in the vernacular, and the children of a great many of the people who sit on the District Boards go to the vernacular schools.

30984. Another change that was suggested by the Director of Public Instruction was that the Government should resume the inspection of primary schools: would you be in favour of that?—The department should have more control over the inspecting staff; at present they are the servants of the District Boards and the department is not sufficiently in touch with them.

30985. Have the District Boards had too free a hand?—I would not put it exactly in that way. The inspecting staff has been under their control more, and it is very difficult for the Director of Public instruction to communicate with them; the correspondence has to go through the Chairman of the Boards, and to meet the requirements of education it is advisible the department should be more in touch with the subordinates inspecting the schools.

30986. Does the Government contribute to education on any definite basis, or is their contribution variable from year to year?—I think it varies from year to year.

30987. They do not pay anything like the whole of the cost of primary education?—No, a portion of it comes from the funds of the District Boards, but as a large portion of the funds of District Boards are supplied by Government it is impossible to say how much is contributed by Government.

30988. (*Mr. Dutt.*) It has been stated that the number of village schools is exceedingly small compared with the number of villages and that in 1,000 villages there are probably only 150 schools; are any endeavours being made to increase schools, so that there might be a school in every large village or in a group of small villages, so as to bring a school near the door of every villager?—It is the aim of the Government to extend the number of schools as far as possible.

30989. But that, I suppose, can only be done gradually and as funds are available?—The reason why there have been so few schools is that the Boards have been starved for funds and have not been able to do anything.

30990. Have the recommendations of the recent Police Commission been given effect to in these provinces?—They have to some extent.

30991. Have those recommendations to any extent lessened the control of the District Magistrate over the police in his district?—I am not aware that his control has been lessened in any way.

30992. Has the control or power of the Commissioner over the working of the police in any way been affected by the new rules framed under the suggestions

of the Commission ?—The power of the Commissioner in the case of punishment of sub-inspectors is about to be taken away.

30993. Generally, have the Deputy Commissioner and Commissioner that amount of control which is necessary for the proper administration of criminal justice and the repression of crime ?—Yes.

30994. Even when the power is taken away of which you spoke just now ?—That is a power of conferring orders of dismissal and of hearing appeals. It is not necessary, I think, to retain that power in the hands of Commissioners.

30995. (*Sir Frederic Lely.*) Can you give a rough estimate of the amount of time on an average which a Collector has to spend in a day on purely routine work ?—It is rather difficult to give an estimate.

30996. Is a large amount of his time occupied in having to sign papers ?—It does not take such a very long time to sign papers, but a great deal of time is taken up in hearing vernacular papers read over and passing orders upon them, but that is not exactly routine work.

30997. Is it appropriate work for a man drawing Rs. 2,000 a month ?—No, not a great part of it, at any rate.

30998. Is there in most districts a man on the spot to whom the Collector can turn over work of that sort when he is pressed for time ?—A Collector, of course, has a certain number of Assistants, and he could make over part of that sort of work to a senior Assistant, but in a great many districts he is rather short of Assistants also.

30999. Is there, in most of the districts in these provinces, a man at the right hand of the Collector, who is reliable and can be trusted with work for which the Collector cannot find time ?—I think in most of the important districts which have large towns in them there is a Joint-Magistrate, but in a great many of the smaller districts there are not, and he might not be able to make over such work.

31000. Generally, is the number of Joint-Magistrates sufficient ?—I think it should be increased.

31001. You mention that in your department of the Secretariat you have to deal with the work of examination of junior officers ; where are the examinations conducted ?—They are conducted in one centre for the province.

31002. Do the rules need any change ; are they sufficient now to ensure that a man who has passad an examination in the colloquial is able to go out and carry on a conversation with ease and fluency with an ordinary native ?—A man who passes his examination would be able to converse with an educated man, but he might not be able to converse in every district with a cultivator, because there are so many village dialects in the different colloquial parts, and he would have to know the dialect of each place.

31003. Is sufficient stress laid on the knowledge of the language as compared with a literary knowledge of the language, in the examinations ?—I think the examination is fairly satisfactory.

31004. What means do you take to ascertain whether a man is colloquially efficient or not ?—He has to carry on a conversation with some native gentleman or an official.

31005. A member of the Examination Committee ?—He might be a member of the committee, but he might not always.

31006. Are you satisfied that the test is sufficient ?—I do not say that a man who passes his examination will necessarily have a high standard of knowledge of the vernacular, but he will have sufficient to carry him on.

31007. Is the committee generally strict enough in the examinations ?—I really have not had much experience.

31008. You are not a member of the committee yourself ?—No ; I merely deal with these matters in the Secretariat.

31008. (*Sir Steyning Edgerley.*) Some of the proposals for giving extended powers to Commissioners involve legislation ; are you in favour of doing that by a general Act of delegation ?—A general Act of delegation would enable the Local Government to pass on its powers to other officers. I am not quite prepared to say that I would recommend it.

31010. Would you give general powers to delegate subject to prior notification ?—I would give the Government authority to delegate its powers under particular sections of an Act to such an officer as it might designate for the purpose.

31011. After notification of intention or absolutely ?—It would be as well to issue a previous notification.

31012. Having been a District Judge for some six years and Legal Remembrancer, do you see no objection to an Act of that sort ?—I do not at present see any objection.

31013. We have been told by a witness that the influence of the Commissioner is not very strong in police matters, and he also said that a Commissioner who was a busy official would, in many cases, prefer not to have to devote time to matters for which he is not responsible ; so that the tendency would be to snap the last links of connection which bind the Commissioner to these matters ?—Yes, I think so.

31014. Does that mean that you are deliberately willing to throw away the interest and guidance in districts of nine of the men who were until recently your very best District Magistrates ?—Yes, that would be the effect.

31015. Is that a wise thing to do ?—I do not see any harm in it.

31016. Could you not keep that interest entirely by retaining their appellate powers and showing that they were still responsible in their divisions for the work of the police ?—Some interest might be maintained if their appellate powers were retained.

31017. The Lieutenant-Governor says that there have been several occasions in the past year in which there has been interference by the Director of Criminal Intelligence,—what sort of matters does that refer to ?—That probably refers to matters connected with the Criminal Investigation Department. That is under the Chief Secretary.

31018. Have your inspectors of police any clerical assistance at all under the reorganisation scheme ?—I do not think so.

31019. Do you not give them any help at all in their clerical work ?—I do not think they have any special clerks.

31020. How do you provide clerical assistance for the police generally—are their clerks members of the force, or is there a separate clerical establishment ?—There is a clerical establishment.

31021. Are they members of the force ?—The Superintendent generally has a sub-inspector as a writer, but the clerical establishment of the office is separate. In the police station the work is done by a constable or a head constable.

31022. Are you sure that there are any constables who do that work as a matter of regular procedure ?—I cannot say what the exact procedure is.

31023. Have the Government of India agreed to their doing it ?—I cannot answer that question.

31024. Have you heard anything about the provision of a general Police Manual for India ?—Yes, I have heard of it.

31025. Is that still under consideration ?—I cannot say.

31026. Have they prescribed a general police uniform for India ?—A uniform has been prescribed for the Gazetted Officers throughout India.

31027. Generally speaking, what is the impression in these provinces as regards the police reorganisation scheme ? Is it felt that you have been left full freedom with regard to introducing it or that it has been pressed unduly by orders from the Government of India ?—I have not seen sufficient since I have been Secretary to give a definite reply.

31028. The deputy inspectors of schools are servants of the District Boards, and their reports at present go entirely to those Boards ; would it sufficiently strengthen the connection of the Department with the inspection of schools if those inspection reports passed

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through either the assistant inspector or the divisional inspector for remarks, on their way to the Boards?—No, I do not think that would be quite sufficient.

31029. (*Mr. Meyer.*) Have not the Government of India in the course of the last few years made special grants to these provinces for various matters, such as primary education, general education, police, District Boards, and so forth?—Yes.

31030. They have now been largely merged in the provincial settlement?—I believe they have.

31031. Do you have to render any special accounts with regard to the way in which you have spent those grants?—We have to render an account as to the way in which the six-lakhs grant for primary education has been spent.

31032 Is that the only one?—That is the only one within my knowledge.

31033. What is the charac'er of that account; is it a very elaborate one?—No, it is not very elaborate.

31034. You have simply to certify that you are spending six lakhs a year more now than you used to before that grant was made?—No, not exactly that; we send to the Government of India a statement showing the main heads of the distribution of the six-lakhs grant.

31035. Does it cause very much trouble in your office?—Not a very great deal. The statement is prepared by the Director of Public Instruction, and after checking it and giving any explanations which are needed, it is sent on.

31036. Do you propose to have a Delegation Act with schedules attached containing certain sections of Acts, with regard to which the Local Government might delegate, or would you adopt what might be described as a blank cheque plan and say that "with the sanction of the Government of India" or subject to any other restriction the Local Government may delegate any powers conferred on it by any Act to anybody it pleases?—Something like the first suggestion was the plan I thought of. It had not occurred to me that powers should be delegated to officers under Local Governments by a general Act.

31037. You would not make any limitation in the laws or sections of laws under which you may delegate, but you would practically say whenever the words "Local Government" occur read "Commissioner," "Collector," or "Board of Revenue" or any other authority you might select?—Yes, I think there should be limitations; the sections under which power may be delegated should be specified.

31038. Were not a number of these provisions as to reference by the Local Government to the Government of India specially inserted at the desire of the non-official members of the Legislative Council?—That I cannot say.

31039. You do not think they would mind if the Local Government was allowed, after notification of its intention, to delegate its powers to anybody they pleased, or would the educated public resent it at all?—I really cannot say; I have not thought of it from that point of view.

31040. To dismiss or punish a sub-inspector of police must the District Magistrate concur?—Yes.

31041. Or if he does not concur the matter must go to the Commissioner?—Yes.

31042. Now the proposal is that the Commissioner should be eliminated?—Yes.

31043. Would the District Superintendent of Police still send the case to the District Magistrate?—Yes.

31044. What would happen if the District Magistrate did not concur?—The proposal is that the case should go to the Inspector-General.

31045. Not to the Deputy Inspector-General?—No.

31046. Would he take the place of the Commissioner as arbitrator between the District Magistrate and the Superintendent?—Yes.

31047. Supposing the District Magistrate concurs with the Superintendent, is he to be the final authority?—If he concurs, the order for punishment is passed, subject of course to any appeal to a higher authority.

31048. But appeals do not lie to the Commissioner at all; they lie to the Inspector-General?—In the case of sub-inspectors of the civil police the appeal at present lies to the Commissioner, but the proposal is that it should lie to the Inspector-General.

31049. Eliminating again the Deputy Inspector-General?—Yes.

31050. It has been stated that there is a system proposed under which a municipality shall surrender the management of their schools into the hands of District Boards; do you approve of that system?—Yes, I think it may be an improvement.

31051. Ought not municipalities to be competent to look after their own schools?—They ought to be, but the result of experience shows that their schools are not as well managed as those of District Boards.

31052. Is that because the District Boards have an establishment to look after them and the municipalities have not?—The deputy inspector of schools inspects the municipal schools.

31053. Did he do so formerly?—I think so.

31054. So that the Municipal Councils of Lucknow and Cawnpore are less fit to look after their schools than the District Board, say, of Bara Banki?—I think they ought to be able to look after the schools quite well.

31055. In regard to medical relief the District Boards pay for dispensaries, but have no control over them; they are all managed by Civil Surgeons?—Yes.

31056. Does that promote local self-government?—Not in that particular branch.

31057. Might the District Board have more share in their management?—I do not quite see what share in the management could be given to them.

31058. In Bengal, for instance, they have the right to appoint their own Medical Officers in charge of dispensaries, subject of course to their being certified as fit by the Inspector-General of Civil Hospitals. Have you anything to say with regard to the appointment of Hospital Assistants here?—Hospital Assistants here are appointed by the Inspector-General of Civil Hospitals.

31059. Practically the whole thing is run as a Government department?—Yes.

31060. Would it not be better to exempt the District Board from paying any contribution and run the thing straightway as a provincial matter?—I do not see why it should not be done.

31061. Do you believe in payment without control?—I did not say that; I said I did not see why it should not be run as a Government institution.

31062. Is the same principle carried out with regard to municipalities; have they any share in the management of their hospitals, or do they also simply contribute?—They contribute; I do not know that they have any more power as to management.

(*The witness withdrew.*)

Mr. L. A. S. PORTER, C.S.I., I.C.S., was called and examined.

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31063. (*Chairman.*) You are the Junior Member of the Board of Revenue?—Yes.

Larger financial powers should be given to provincial Governments. The following two instances illustrate the inconvenience of the existing system. When I was Commissioner of Lucknow the British Indian Association (a body composed of the *talukdars* of Oudh) presented an official request that the Superintendent of the Government Horticultural Gardens, Lucknow, should be placed in charge of the Kaisar Bagh garden (Lucknow), which belongs to the Association; and that the Association should be allowed to pay the Superintendent a small sum (Rs. 25) monthly for his trouble. The proposal was an eminently desirable one, as the Kaisar Bagh was an old royal palace and is one of the sights of Lucknow, and owing to want of skilled supervision the garden had fallen into a very bad state. This proposal had to be referred to

the Government of India for sanction, as the Superintendent was a Government servant.

The Director of Land Records and Agriculture represented to Government that in some districts the pay of certain village accountants was too low to attract competent men ; and he sent up a scheme for utilizing the surplus of the patwari fund (a local fund) in raising the pay to a living wage. The extra expenditure involved in each of these districts was comparatively small. For purposes of administrative convenience each district was taken up separately. The Director's proposals for the first one or two districts were passed by the Accountant-General and sanctioned by the Local Government. In a later case, however, the Accountant-General ruled that as these proposals formed part of a general scheme for improving the position of the Land Records Department, the total cost of which would exceed Rs. 25,000, all the proposals required the sanction of the Secretary of State. In both these cases the only authority competent to form an opinion on the merits of the question was the Local Government. Neither case involved any demand on the imperial exchequer. All that the Government of India (in the first case) or the Secretary of State (in the second case) could do when the proposals came before them was either to sanction the proposals as a matter of course or to give an arbitrary refusal. Neither of these authorities was in a position to come to an independent opinion on the merits.

Provincial Governments should have power to raise money on loans to meet expenditure properly classed as capital ; whether the loans should be obtained from the Government of India or direct from the market is a question for financial experts. All Governments ought to draw a distinction between capital and revenue expenditure ; but the United Provinces Government has to meet all the demands on it out of current income. The result is that progress even in such an urgent matter as providing our police force with decent and sanitary barracks and buildings is lamentably slow. At the present rate it will take at least a generation before our police are suitably housed. This difficulty and similar difficulties of the same nature could, I think, be met by raising a special loan.

In enhancing the salaries of clerical, &c., establishments, and of subordinate executive officers, the Local Government should have a freer hand. Recently the Board desired, in order to improve the grading of its office clerks, to increase the pay of one clerk by Rs. 25 per mensem, half of which sum could be met by saving. But the proposal would have required the sanction of the Government of India, and it was therefore dropped. A matter like this should be within the competence of the Local Government.

Every Government servant drawing Rs. 100 per mensem and over has a right of appeal against an order of dismissal, removal, reduction, or other punishment. I think this right should be restricted. A distinction should be drawn between orders of dismissal or removal, and orders of reduction or other punishment. The Local Government's order of reduction or other punishment should be final in the case of all officers appointed by the Local Government, and in the case of orders of dismissal or removal no appeal should be allowed unless the officer concerned is of gazetted rank. I have had experience as Collector and as Commissioner of appeals from my orders, but I have never considered such appeals as a grievance. No officer decides a question of any importance without having good reasons for his decision ; and it is no hardship to explain those reasons to higher authority. The real remedy against frivolous appeals, or appeals in petty matters, lies in the hands of the appellate authority, and that remedy consists in summarily rejecting appeals in cases in which it is on general grounds undesirable to interfere with the discretion of the local authorities, and in cases in which the petition of appeal does not disclose *primâ facie* grounds for interfering.

The Board have considerable experience of appeals of this nature. In certain classes of cases no appeal is allowed by law ; but parties are constantly trying to evade this law by means of petitions for revision. The Board, like a High Court, has certain powers of revision, but these powers can only be exercised on grounds prescribed by law. The vast majority of petitions for revision, however, make no attempt even to show that any of these grounds exist. Such petitions should be summarily rejected. It is not possible to prevent people from appealing. But it is quite possible to prevent appellants from wasting the time of the appellate authority.

But the powers of Commissioners and Collectors might with advantage be increased in several respects. They pass the annual budgets and the annual administration reports of the less important municipalities. These reports are submitted by the Municipal Boards through the Magistrate to the Commissioner by a fixed date. The Commissioner reviews the reports and sends on the reports, with copies of his reviews, to Government—again by a fixed date. The appendices to these reports are very elaborate and the checking of the figures in the Commissioner's office takes time. The result frequently is that the reports do not reach the Commissioner until they are due to Government, and the Commissioner has to content himself with a very hasty review. The reports of the few large municipalities must of course be dealt with by Government ; but in the case of petty towns it would be enough if the appendices only were submitted to Government for incorporation in the provincial Resolution. The Commissioner would thus have full time to study the reports ; and, if necessary, he could postpone passing orders on them until he had had an opportunity of discussing matters with the Magistrate or with the Board on the occasion of his next visit to the district. Incidentally this system would save much correspondence, such as pointing out errors, calling for further information, &c. It would likewise relieve the Secretariat to some extent.

This method of dealing with municipal reports should be extended to the Court of Wards Department. In this Department also there are two classes of reports—those which are passed by the Board and those which are disposed of by Commissioners. At present reports of both classes, with copies of the Commissioner's orders thereon, are submitted to and reviewed by the Board. Under the system which I propose the Board would receive in the case of estates of the second class the appendices only for incorporation in the annual departmental report. The Commissioner should deal with the reports of this class in an inspection note at the time when he inspects the district offices during his tour. A copy of this note would be sent to the Board for information.

The influence of the Local Government is not now in the direction of excessive rigidity or uniformity, nor is the tendency of the Secretariat now to regard matters too much from a purely departmental standpoint. Government is not now too impersonal or too dominated by considerations of revenue. Twenty years ago it was almost impossible to obtain a reduction of revenue in the case of a deteriorated village. Of recent years there has been no difficulty whatever where a reasonable case is made out.

The influence of the Commissioner is not strong in police or in excise matters, but it is difficult to make it stronger by rule. The position is a delicate one. The Commissioner of Excise, with whom (subject to the Board) the final decision rests, is a comparatively junior officer, and no Commissioner of a division would like to be overruled by him. The same is true to a certain extent in police matters. The Inspector-General himself may or may not be of Commissioner's standing, but the Deputy Inspectors-General are not.

I believe adequate weight is always given to the Commissioner's views when the Commissioner cares to express any. But a Commissioner is a busy official, and in many cases would prefer not to devote time to matters for which he is not responsible.

I question whether Executive Officers have sufficient opportunities for personal contact with the people. Many officers find the time, but at considerable personal sacrifice. The obstacle of course is pressure of work, including clerical work. There has been some reduction of clerical work in recent years. Statistical work has been cut down and reports are not so long as they used to be. I still think, however, that there is too much writing and too little real supervision.

Executive Officers possess a fair knowledge of the vernaculars, but only constant practice in speaking can keep up the knowledge of a foreign tongue.

At present the administrative staff of the Revenue Department (*i.e.*, the District Officer and his assistants)

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have to work at very high pressure, and owing to this some work suffers in quality. Unless a reduction of work can be effected, some increase in the district staff will be necessary.

No general reduction in the area of districts or charges is necessary. But one particular district certainly, and possibly one other, is too heavy for one officer.

Commissionerships are selection appointments. In the case of districts some charges are much lighter than others. Care will always be required in the selection of Collectors for certain districts. I do not think it would be possible to keep any officer permanently in the grade of Joint-Magistrate; or to relegate to the judicial line men pronounced unfit for promotion in the executive line. If a rigid system of selection for Collectorships or Judgeships is adopted, a scheme of retirement for unfit officers must be introduced.

Transfers are undesirably frequent, but they are kept down as much as possible. The only method of reduction that I can suggest is that (with the possible exception of the Collector) all vacancies in a district of three months or less, down to and including naib-tahsildars, should be filled up within the district or sub-division as the case may be. Thus (whether they were approved for promotion or not) a *tahsil* subordinate would act for a naib-tahsildar, and the naib-tahsildar for the tahsildar; while a local tahsildar should be appointed temporarily to replace a Deputy Collector. I would make an exception in the case of a Collector where the vacancy exceeds six weeks and no Joint-Magistrate is available locally. Experience of different districts is useful to a young Civilian.

I have never found Local Boards to be of any assistance. Municipal Boards have considerable powers and fairly wide functions, and I have no extension of powers or of functions to suggest. They raise their own taxes and spend their own money.

District Boards have no powers of taxation, and are as a rule less efficient bodies than Municipal Boards; the reason is that most of the members know only the part of the district in which they live.

I am not in favour of the creation of either Advisory or Administrative Councils to assist Divisional or District Officers. In municipal matters the District Officer has the Municipal Board to consult, and in District Board matters the District Board. In other matters he can always consult unofficially the leading men of the district. I think the District Officer and the Commissioner can ascertain local opinion much better in this way than through any Council. The best men in a division or district would not, I think, give their opinions freely in such a Council.

It would not be expedient to invest District Boards with power of supervision and control over the smaller municipalities in their districts. No District Board in these provinces is competent to exercise such power.

I know of no district in which it would be possible to give village communities powers of disposal of local affairs.

31064. Does the Board as a rule sit often?—It practically never sits together; in my time I have never sat with the Senior Member. The papers are circulated from one member to another; they do not sit together, not even to hear appeals.

31065. Even in that case it is all done by the circulation of papers?—Yes; one member hears the appeal, and if he sees no reason for interference he dismisses the appeal; if he wishes to interfere, he has to get the concurrence of his colleague and he obtains that by circulating his judgment or order in the case, along with the records.

31066. Are the questions which come up under the general head of "revenue" distributed between the two members of the Board on a fixed manner, or according to the wish of the Government?—No, the Members divide the work by departments themselves and simply inform Government. I think on one occasion when we suggested a change the proposals were sent to Government for approval, and we were told in reply that Government simply wished to be informed as to what member was in charge of each department.

31067. Is the present method of doing your business by the circulation of papers preferable to that of meeting and discussing things as a Board?—I think in most cases it is. In certain cases, that is, the selection of persons for appointment as naib-tahsildars or tahsildars or Deputy Collectors, the Board have to sit together; that is the only case that I know of; they see candidates together and then decide on their selection.

31068. Then in respect of those particular matters they will sit together?—Yes; I have not sat yet, but we shall sit together next month.

31069. Is that a new system?—No; they sit once a year and I was either on leave or deputation last year when the sitting took place.

31070. Have you offices?—Yes, at Allahabad and there is also a court room in Lucknow; there are no clerks connected with it except those that accompany members on tour.

31071. Do you do the business of the Board at the Secretariat in Allahabad?—No, there is a separate block of buildings where the Secretaries remain during the cold weather; in the hot weather the Secretaries and part of the office go to Naini Tal.

31072. Wherever the buildings are located do you transact your business at those offices or at your own house?—Personally, I always go to the office.

31073. And the other member of the Board?—I cannot speak for him because he is so much on tour.

31074. You have separate rooms assigned?—Yes, there is a separate room for him and a separate room for me, and I always go to my room for a certain number of hours in the day.

31075. Do you find that that assists much in connection with business?—Very much, because I can send for the Secretary of any department and dispose of a thing in five minutes which would otherwise involve writing notes.

31076. You say you go on tour during the cold weather; are you required by regulation to go on tour, or is the limit of your tour left entirely to your own discretion?—I believe it is the desire of Government that we should be on tour a certain time. Speaking for myself, I could not get through my work unless I was constantly on the move.

31077. Are you bound by rule to go on tour?—As far as I am aware there is no rule; we understand it is the wish of Government and as a matter of fact our work requires it, but it is not laid down in black and white.

31078. Do you practically get over the whole of the two provinces in the course of each year?—I have five divisions out of nine. I find that I shall probably have to visit the headquarters of every division twice every cold weather and once in the rains if I am to keep the number of appeals down. On each occasion when I go to headquarters I generally visit one or two or three districts from that headquarters; so that practically, as far as my divisions are concerned, I get over most of them in one year, certainly over the whole of them in two years.

31079. You dispose of your work then by subjects, not by territorial areas?—Appeals go by territorial area; other work—file work—goes by subjects.

31080. Would it be any improvement on the existing system to have the whole of the work taken by territorial areas?—It would be quite impossible.

31081. A good deal of your work comes up to you through the Commissioners?—Excise matters would come through the Commissioner of Excise; everything connected with revenue practically comes through the Commissioners.

31082. Is there a considerable portion of the work which comes to you which could be delegated?—I think that Commissioners might dispose of a good deal of work.

31083. What sort of proportion to the whole volume of work that comes to you would they be able to deal with?—That I could not say; I think a great many Court of Wards reports ought never to come up to the Board; the other questions that ought not to come to the Board are generally petty references in the various departments which the Commissioners might deal with; I cannot say what the proportion would be.

31084. Is a considerable portion of your work disposed of by the Secretary to the Board?—Practically nothing; everything comes to the member.

31085. It is the merest routine work, and only a very small portion of that, which is done by the Secretary?—The Secretary would, for example, write a letter if he thought the case was not complete, asking for further information before he placed the case before me; but I cannot remember any class of case which he practically disposes of himself.

31086. How many Court of Wards estates are there?—The Court of Wards work is not under me; it is under the Senior Member; the number would be probably between one hundred and two hundred—nearer two hundred than one hundred.

31087. What is the size of the estates which generally might very well be managed by the Commissioner?—It does not always depend on size; sometimes some estates are very indebted and involve ticklish questions of law and things like that; it would be better to select cases.

31088. In the case of a small estate, but one involving complicated legal questions, you would refer that to one or other of the legal advisers of the Government?—Yes.

31089. You would not settle the legal questions on your own responsibility?—No, we always consult the Legal Remembrancer.

31090. Might not the Commissioner, therefore, just as well consult the Legal Remembrancer as you?—I think he does so.

31091. Then in the case of these small estates you could probably, in spite of the complication of the questions involved, leave them to the Commissioner?—Yes, I think so.

31092. That being so, could you give no limit of value?—Not being in charge of the department I would rather not offer an opinion.

31093. You say that there are a very considerable number of appendices to the annual administrative reports of municipalities; are appendices necessary at all whether sent to you or to the Commissioner?—These do not come to the Board at all; they go up from the Commissioner to the Government. I am speaking of my knowledge as a Commissioner. I rather think that they have been prescribed by the Government of India.

31094. By whoever prescribed, you are of opinion that they could be dispensed with?—No; I think they might be sent direct to Government simply for amalgamation in the municipal returns.

31095. To the Secretary in the Municipal Department?—Yes; I do not suggest they they should be dispensed with—my suggestion was that the report and appendices should come to the Commissioner as at present; in the case of the less important municipalities the Commissioner would pass orders on the report and that would be an end of it; these orders would go to the district for compliance, but the appendices would go up to Government for amalgamation in the provincial returns.

31096. You say the position of the Commissioner is not strong in regard to police and excise, but that it is difficult to make it stronger. If the Commissioner is senior to the Commissioner of Excise, what is the difficulty in making the position of the Commissioner more authoritative than that of the Commissioner of Excise?—The whole question of the administration of excise is under consideration in correspondence with the Government of India, and I think probably the direction will be to remove the duties entirely from the Commissioner and make them over to the Commissioner of Excise acting under a chief revenue authority, who may be either a member of the Board of Revenue or not.

31097. Do you have a great deal of correspondence with the Commissioner and through him with the Collectors?—Yes.

31098. Is there no reduction of clerical work possible, quite apart from going to the Local Government for powers?—You would have to get the executive order of the Local Government.

31099. You have considerable executive control over Commissioners and Collectors; have you not therefore executive powers to enable you to cut down correspondence?—Yes, and as a matter of fact we are frequently doing it. There have been one or two cases recently in my own experience; they were very unimportant routine cases; one was sanction to a mutation in the case of perpetual pensions. When a pensioner dies a report comes up to us that so-and-so are the heirs, and that is sanctioned as routine; we wrote down the other day and said that the Commissioner might decide such cases himself and not refer them to the Board. I rather think the approval of Government was obtained before that order was issued.

31100. In your office is there not something to be done by the better handling of correspondence inside the office itself?—I do not know enough of the office to speak as to that.

31101. Not of your own office?—I only took over charge last November and I have been on tour most of the time since then. I know the tendency is to reduce correspondence very much, and orders have been issued recently in one or two mattrrs which will still further reduce the size of statements which come up.

31102. Orders issued by whom?—Those particular proposals were sent to Government for approval, and if approved in the case of such a question as the appropriation of land for a public purpose, the statement that will come up to the Board will be very much curtailed in size.

31103. You have not yet got the approval of Government?—The orders have not yet been received.

31104. Therefore you do not know whether the Local Government will give you the freedom you want?—I think any reasonable case that is sent up is sanctioned without any difficulty.

31105. Do you know how officers are selected for the post of Commissioners?—No, that is done entirely in the Appointment Department.

31106. I take it that the present system which necessitates selection at the grade of Commissioner is necessary; would you put the point of sanction lower down at Collector's rank?—I think it would be advisable, but that would involve the discharge on pension of men who had been passed over; it would be impossible to retain them always as Joint-Magistrates.

31107. It would not be possible to retain them for a more or less short period?—I think in the case of a man who had been definitely passed over you would get practically no good work out of him; you would have to do as you do in the Army, that is to say, retire him if he is not promoted.

31108. (*Mr. Meyer.*) The Board's members are not consulted in regard to the appointment of a Commissioner?—No.

31109. The Commissioner of course is a promoted Collector?—Yes.

31110. Do not the Board's members know more of the work of the Collector as a Collector than anybody else at headquarters?—They know a good deal, but I should hesitate to say that they know more than a Chief Secretary or even a Lieutenant-Governor; especially nowadays when the Lieutenant-Governor tours so much and sees so much of his men.

31111. Is it desirable that the Board should be consulted?—It is quite possible without my knowledge that unofficial advice is asked; I have never been asked.

31112. Any consultation would be unofficial?—Yes.

31113. The touring in the divisions is distributed between you and your colleague; do you always take the same divisions or are they altered from year to year?—They are not altered from year to year; when I joined the Board a certain distribution was in existence, and we have adhered to that. When Mr. Cruickshank retires there will be a slight alteration.

31114. You are responsible for touring in five divisions out of the nine?—I am responsible for the appeals in those five divisions, and to enable me to dispose of them I have to go to those divisions for the convenience of the parties, but at the same time I have frequently to go outside my own divisions to enquire into matters concerning one of my special departments.

31115. You are in charge of the excise work all over the province?—Yes.

31116. Does that not mean touring occasionally?—Yes, in case any question arose I would have to go.

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31117. Then the whole province is open to you for touring?—Yes.

31118. But you hear cases in a few selected divisions?—In certain divisions only.

31119. As regards the position of the Commissioner in excise matters, has it not been laid down by the Government of India that he should be consulted as regards any change in excise policy?—I believe so.

31120. Would that meet with your approval?—Yes, I am not prepared to suggest anything more than that.

31121. The technical details might be left to the Excise Commissioner?—I think so certainly.

31122. You mention here, as an instance of undesirable centralisation, that reference had to be made in the case of an officer who was to get some small sum for work in the Lucknow gardens; however that accrued, is it not an addition to salary?—I suppose so. I do not know what the technical definition of "salary" is, but it was an increase in his emoluments.

31123. Therefore, if it is desirable to restrict the power of sanction in regard to an officer's emoluments, you must also apply it to these allowances?—I think that in the case of a man like this particular person, a Superintendent in the Government Horticultural Gardens, the Local Government might be allowed a free hand.

31124. Suppose a Public Works Officer does work for a District Board, would you allow the Local Government to add to his emoluments in that way?—It is a matter that might very safely be left in the hands of the Local Government. Practically the Local Governments have power to give what is called a gratuity or an honorarium for certain work.

31125. That is non-recurring?—But it comes to the same thing whether you vote something once a year or once in five years, or whether you vote so much a month; a definite line would have to be drawn somewhere undoubtedly.

31126. Similarly you say the cost of patwari establishment did not fall on imperial or Government funds at all; as a matter of fact, have not the patwari establishments been taken over by the Government?—That is since this case happened.

31127. Therefore, if there has been any large increase the Government has now to bear it?—Yes, but I still think those are cases in which the loyalty of the Local Government might safely be *trusted*.

31128. The object of the Rs. 25,000 rule is to require the sanction of the Secretary of State and of the Government of India to any large increase of expenditure which a Local Government embarks upon?—I suppose that is the object.

31129. And the largest increases are those which affect establishments scattered over a number of districts?—I presume they would be.

31130. Therefore, if you start the system of district compartments and say, we can work it in this district because it is under Rs. 25,000, and then go on to another, you are practically defeating the intention of the rule?—It was the rule itself that required amendment, not the Accountant-General's interpretation of it.

31131. You do not quarrel with that, but you say the Rs. 25,000 rule is too small?—I think it is much too small.

31132. Would you be in favour of increasing it to Rs. 50,000 as has been proposed?—I think it depends very much on what is the income at the disposal of the Local Government. After all the Financial Secretary and the Lieutenant-Governor are men with consciences and reputations, and they may be safely trusted more than they are at present; I think Rs. 25,000 is too low in a province like this.

31133. But there should be some limit?—Of course; the annual budget always goes up to the Government of India.

31134. The Government of India do not criticise these things on the budget, they have not the time; they simply look at the total figures?—Provided the total figures are not exceeded, I do not see the necessity for any limit. My position is that neither the Secretary of State nor the Government of India is in a position to criticise such proposals; as these must either say no or yes, and they can give no reasons for the faith that is in them, if they have any; therefore I think a reference is absurd.

31135. In those particular cases?—In cases where they are not competent to say "This is desirable" or "undesirable." If large financial interests are involved they might be consulted, but I do not think Rs. 25,000 a year is a large financial interest.

31136. You say that all Governments ought to draw a distinction between capital and revenue expenditure; how would you define the two?—Expenditure on buildings I should call capital expenditure—I mean buildings that are likely to be permanently required, that is required for a generation or twenty-five years or something like that; there is some such line drawn sometimes at home; I think there was a special loan for the building of barracks or something of that kind.

31137. That would apply in the case of a municipality or some small authority; but in the case of Government, who are always having to make buildings?—My position is that the present state of many police buildings is almost a scandal; Government is doing its best to remedy it, but progress has to be slow as long as money has to be found out of income.

31138. Your point is that in certain cases the Local Government might have to embark on a large scheme, the expenditure upon which it could not meet all at once, and that it might borrow money for a short period?—Yes, they would have to provide a sinking fund for paying it off.

31139. The Lieutenant-Governor has told us that he desires to bring the Board into closer unofficial touch with Government; have you thought over that matter at all?—As a matter of fact, the Lieutenant-Governor has on several occasions unofficially consulted the Board.

31140. In Bengal they have a system under which the Board's office and the Government office are practically telescoped into one for noting purposes; when matters have to go up to Government, first of all the Secretary of the Board notes, then the Secretary to Government, and then the member of the Board. You are not in favour of a system of that sort in these provinces?—I do not think so.

31141. Why?—Occasionally notes do come over from the Secretariat unofficially, showing His Honour's views on some subject; that is simply to facilitate the work, but I think the joining of notes together would simply add to the length of the notes.

31142. It has been represented to us as an advantage of the system that it gives the member of the Board who is the Senior officer the opportunity of speaking last before the matter comes to His Honour, and of replying to any arguments that may have been brought forward against what is proposed in the Secretariat; is there not something in that?—There may be something in that.

31143. Still, you are not in favour of that sort?—No, not as far as the information at my disposal goes; I do not know how it would work.

31144. It has also been suggested to us that if you gave the Commissioners larger powers, making them more Sub-Governors, there is not so very much room for a Board of Revenue; what have you to say in regard to that?—There will still be big questions to be dealt with. My chief complaint against the present system is that a good deal of our time is taken up with petty matters that need not come up. Two members can get through the current work, but when a large question does come up it means either that they have to work at pressure or that the thing has to stand over.

31145. You are overburdened with appeals?—Yes, the appellate work could be reduced and the routine work could be reduced. In that case the two members would have abundance of time for all questions that come up.

31146. You think that two members are desirable, in order to co-ordinate matters of land revenue, and so forth?—I think they are required.

31147. It has also been suggested that the two members might become *quâsi*-colleagues of the Lieutenant-Governor, dealing with other matters besides revenue,

such as important questions relating to the general administration of the province and disposing of some of them independently of the Lieutenant-Governor and referring to him in others?—That would practically be the same system in a slightly modified form; it depends upon whether the Lieutenant-Governor would like that system or not; the Board are perfectly prepared to undertake it.

31148. Do you think it would work?—I have no doubt it would work; the Board would be quite prepared to undertake it.

31149. Would you go further and convert the Board into regular colleagues of the Head of the province, following the system of Madras and Bombay?— I am not prepared to advocate that at present; I see no great argument for or against it.

31150. It has been put to us that in a one-man Government there may be rather violent oscillations of policy; a Council Government would abate that?—Yes, there is that point of view.

31151. From that point of view would you be in favour of it?—Yes, speaking generally, but I have no great arguments to adduce in support of it; I think probably in some matters it would work better.

31152. Though you are in favour of it in the abstract, you do not think the time has yet come for its application to these provinces?—Certainly its necessity has not been demonstrated.

31153. (*Sir Steyning Edgerley.*) You say that the Commissioner has very little influence in the matter of the police; another witness has told us that the links of the Commissioner's connection with the police are being snapped; is that a wise change?—I do not think so.

31154. The administration of the police is a matter that touches the everyday life of the people?—Yes.

31155. And the loss of the experience and guidance of the nine or ten most experienced District Officers in a province is a serious matter?—I think so.

31156. Would it not be possible to let appeals go as may be deemed appropriate either to the District Magistrate or to the Commissioner?—I do not quite know how appeals now go; I have not been doing any Commissioner's work for eighteen months, and there may have been a change in that time.

31157. I understand they are all going to the Deputy Inspector-General?—It is since my time that the change has been introduced.

31158. If the appeals from, say, subordinate police officers went to the District Magistrate and from the higher grades to the Commissioner, would that suffice to keep alive the connection with the District officers?—That is what I think it ought to be.

31159. And the Inspector-General would also be much freer to advise the Government?—Yes I do not think the Inspector-General is a man who is so well qualified to decide appeals as a Commissioner.

31160. Do you think that this amendment of the Revenue Court Law, if carried out in the sense that may be expected, will greatly reduce the appeal work?—To which amendment do you refer.

31161. I cannot refer you to any written description, but there is some scheme of amendment in prospect?—I know that the Revenue Law is under consideration and the opinions of the Board have gone up, but other amendments of the law are also under consideration.

31162. Is it not true that there has been since these Acts were passed in 1901 an abnormal increase in the number of appeals under these two Acts?—Yes, and in litigation generally.

31163. In your opinion is the *morale* of the Provincial and Subordinate Services improving?—I think so.

31164. Is that all recognised by any increase of powers to them?—They have very considerable powers. Assistant Commissioners of the first class have very considerable powers.

31165. Take the tahsildars and the naib-tahsildars?—The naib-tahsildars are practically only Executive Officers; very few of them are entrusted with case work and that very petty; similarly the tahsildar tries only very petty revenue, rent, and criminal cases.

31166. Could not the tahsildar be made a Second Class Magistrate?—I do not think so.

31167. Could a naib-tahsildar be made a Third Class Magistrate?—Very seldom. He has his executive work to attend to.

31168. I am not talking of the work, but as regards honesty and capacity?—With regard to their honesty and capacity, I think they could be trusted.

31169. Could a naib-tahsildar be trusted also on those grounds?—No, he has had no legal training.

31170. Everybody has to begin?—At any rate, I am strongly against giving naib-tahsildars criminal powers.

31171. Would it not be a great convenience to the people to have a tahsildar or naib-tahsildar to dispose of all their disputes up to second class cases?—I am not so certain; there is nobody to represent the people, and the case work is probably only enough to employ one pleader or *mukhtar* of a lower grade, so that one side would very frequently not be represented at all.

31172. Have not complainants and witnesses to come a long way in these petty cases?—Our districts are compact, and parties and witnesses do not have to come very far; petty cases are disposed of by the tahsildar already.

31173. In non-bailable cases are not untried persons kept a long time?—No, the list of under-trial prisoners is carefully scrutinised by every District Magistrate.

31174. If a system of compulsory pensions had to be introduced, would that affect the recruitment of the service?—I have not thought that out; I have no idea how far such a system could be carried out; it has not affected the Army.

31175. Would it be counterbalanced by giving improved prospects to men who have served their full term of thirty-five years?—I do not think it would affect recruitment one way or the other; every man fancies himself competent.

31176. Do you think anything could be done to stop transfers if you had a few supernumerary Collectors?—I think not.

31177. They would not supply the men who are now taken for special duty?—You have always got senior Joint-Magistrates waiting.

31178. You say you have never found Local Boards to be of any assistance; but is that quite the point of the policy? It is not a question of whether they assist the District Magistrate; the question is whether you can train the people?—The Local Boards which were established here have been abolished. District Boards are useful; Local Boards I have never found of any use.

31179. Do you know the Jhansi Commissionership?—It is not a Commissionership now; it is part of the Allahabad Commissionership. I have served in Bundelkhand, not in Jhansi itself.

31180. If the old Commissionership were established, would it be a very small charge?—I should imagine it would be a very large charge.

31181. It would be only four districts?—There might be only three.

31182. Would the Allahabad charge be very light?—I have never been Commissioner of Allahabad.

31183. You do not know that part of the province?—I know that part of the province, but I have never been Commissioner. I understand that the Commissionership is heavy, but I do not think it is heavier than, for example, Lucknow, or Benares, and I doubt whether it is heavier than Meerut.

31184. Is full use made of the Sub-Divisional Officers here at present?—We have very few Sub-Divisional Officers; all our Sub-Divisional Officers reside at headquarters.

31185. Is your staff strong enough in that grade?—Do you mean the full powered staff?

31186. Civilians or Deputy Collector?—The whole staff combined is quite insufficient for the work.

31187. (*Sir Frederic Lely.*) Apart from your appellate work, does not the Board of Revenue cover very much the same ground as the Commissioner?—I have five Commissioners whose appeals come to me.

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31188. I am not referring to your work as an Appellate Court but to your work as supervising the administration?—The Board are over all the Commissioners.

31189. Your outlook is pretty much the same as that of the five Commissioners?—Yes.

31190. What is the average age at which a man becomes a Commissioner in the United Provinces, approximately?—It varies vary much, twenty-five to twenty-eight years' service would be about the average.

31191. At what times in his service does a man usually enter the Board of Revenue if he enters it at all?—Thirty or thirty-one years' service, or as late as thirty-three or thirty-four.

31192. Virtually, then, the system means setting a man of thirty-one years' service to watch a man of twenty-five years' service?—Something like that, yes.

31193. With reference to the Court of Wards, do you think, on general grounds, it is good to give as much as possible of the detailed management into the hands of the man on the spot?—I do.

31194. A suggestion has been made that the authority in the management of the Court of Wards should be entrusted to the Collector or not, according to the size of the estate; you rather demur to that?—The Collectors are alway in direct charge except in certain cases.

31195. It has been suggested that small estates should be given over to the Collector, making the Collector, in fact, a Court of Wards. Instead of fixing a limit to the size of the estate, might you not give him authority over the estate whatever its size subject to certain reservations as for instance that the decision whether the estate should be taken over or not should remain with the higher authority and that higher authority should have the power of sanctioning any loan, and so on; would not that be a better system than fixing the limit according to the size of the estate?—I would not give the Collector entire charge. Many of our Collectors are very junior officers, officiating for only a short time. I think the Commissioner ought to be the ultimate authority in questions of management except in the case of the very biggest estates; the administration of these latter should remain with the Board.

31196. Is not the ordinary management of an estate a comparatively simple matter?—Yes, it is done entirely by the Collector, who reports annually.

31197. Suppose you reserve the points I have mentioned to the superior authority; would there be any objection to giving the whole of the rest of the management of the estate into the hands of the Collector?—I would rather have the Commissioner in supervising charge.

31198. He should continue to be the Court of Wards?—No; he supervises: the Court of Wards is really the Board.

31199. But would you object to making the Commissioner the Court of Wards, only reserving to the Board points of very extreme importance?—It would be better to allow the Commissioner to have complete control in the case of all except a few of the more important or more difficult estates, the management resting with the Collector or with the special manager under the Collector.

31200. Then I understand you are not in favour of delegating very much downwards?—Not below a Commissioner.

31201. Would you give a Collector authority to grant suspensions and remissions of revenue?—As a matter of fact, some difficulties in connection with that are before me at present. My answer is no.

31202. Would you give a Collector power to make all appointments in his own office, including his head clerk?—He has such power already except in the case of the head clerk; the rule has been altered in the last few weeks. With regard to the head clerk, treasury head clerk, and general superintendent, the appointment rests with the Commissioner, but the Commissioner's power of interference in the case of other appointments has been very much limited within the last few days.

31203. Is the head clerk and general superintendent the same as the personal assistant to the Collector?—The head clerk is head of the English office; the treasury head clerk of the treasury; and the general superintendent of the vernacular office. There are three different head officials.

31204. The head clerk, I suppose, is appointed by the Collector?—No, by the Commissioner from the divisional list.

31205. Would you give him power to appoint?—I think the three head appointments should go by seniority from a divisional list; in every other case the Collector should have complete power of appointment.

31206. Have you any revenue inspectors?—No.

31207. Has the Collector a discretionary allowance for any minor expenditure?—He has his contract grant, nothing else.

31208. Nothing for minor works or for rewarding good service?—He has certain funds for police rewards, not for rewarding clerks or anything like that.

31209. His power is limited to sanctioning police rewards, which are paid out of the grant made to the police?—Yes.

31210. He has no grant of his own?—No.

31211. Do you not think that he might have?—I do not know what he would use it for. I never found the need of it myself; subordinates do good work in the hope of promotion; their work is remembered; it is entered in their character rolls, and they get promotion on that.

31212. What about a small sum for minor works?—The Commissioner has a small grant which he distributes himself amongst the districts.

31213. To the Collectors?—Yes; a minor work is a work not costing more than Rs. 500; there is a divisional grant for such works.

31214. There is a certain amount of money accessible to the Collector?—For Public Works, yes.

31215. Now about the Commissioners and their exclusion from police and excise. You have told us that his opinion will always be considered, but as a matter of fact is he likely to have an opinion or to express one if he has no power?—I do not think he will bother his head very much about it.

31216. That will be the invariable consequence?—Yes.

31217. (*Mr. Dutt.*) In the matter of appeals you have told us that when a member of the Board wishes to upset the orders of the Commissioner he sends on his file to his colleague. If there is disagreement, what is the result?—The High Court rule is followed, that is, the judgment of the Lower Court stands.

31218. So that the order of the Commissioner is not upset unless both members agree?—That is so.

31219. With regard to appointments, are Deputy Collectors as a rule appointed on the nomination of the Board of Revenue?—The Board nominate and the Government have the power of direct appointment.

31220. Are the majority of them appointed on the nomination of the Board?—Yes.

31221. And the Government may also appoint people who are not nominated?—Yes.

31222. What about the tahsildars and naib-tahsildars?—Government has in the case of naib-tahsildars power to make any appointments, but as a rule the naib-tahsildars are appointed by the Board from among the nominees of Government, the Board, Commissioners, and Collectors.

31223. The nominations come to the Board?—Yes.

31224. Are orders transferring Deputy Collectors from one station to another always passed by the Government?—Yes.

31225. Who passes the orders about the transfers of tahsildars and naib-tahsildars?—A Collector within his own district: a Commissioner within his own division; outside the division, the Board.

31226. When a Collector transfers tahsildars from one place to another, is there a Gazette notification?—No, they are non-gazetted appointments.

31227. You do not propose to make any changes about transfers of these officers?—Except the suggestion that to avoid transfers short vacancies should be filled if possible locally.

31228. You speak of rates and cesses. I suppose they are realised with the land revenue?—Yes.

31229. What is the distinction you make between rates and cesses?—There is practically no distinction; there used to be a district post cess and a police cess, &c., but I think all those have now been amalgamated in the local "rates."

21230. The proceeds of these cesses after they are realised are made over to the District Boards?—Yes; there were surplus and deficit Boards; the surplus Boards did not get the whole of their cess if the money was thought too much; the deficit Boards got more than their cess if it was thought it was not enough. I believe a new system has been introduced in the last twelve months.

31231. About the income-tax; who is the officer who makes the assessments for the income tax in the district?—All Assistant Collectors make enquiries and keep note-books. Below a certain amount the assessments are made by sub-divisional officers, an appeal lying to the collector; beyond that amount the assessment is made by the collector, an appeal lying to the Commissioner.

31232. You have not got any separate income-tax assessors?—No, in Lucknow once, and possibly in other places, a special officer was put on special duty to make enquiries, but as a rule the work is generally done by the ordinary district staff.

31233. Is the work done satisfactorily by the men on the spot?—Yes. I have seen some good and some bad assessment notes, but it is always possible to write a good note if a man will take the trouble.

31234. You think it can be done more satisfactorily by these local men than by a special assessor if one was appointed?—A special assessor might be of some use in a large city, but now the work of assessment has become more or less stereotyped and there is not any very serious difficulty.

31235. Who keeps up the land records in the *tahsils;* is that for the tahsildar to do?—No, he has got a registrar, kanungo under him, with one or more assistants; that is their special duty.

31236. They got their information from the patwaris?—Yes, remains at.

31237. All that is under the supervisions of the Collector?—Yes, but the registration kanungo is in the *tahsil;* there is a general record room at headquarters, where, after a certain number of years, the *tahsil* records are sent.

31238. Does that system work well in practice?—It is being improved every year under Mr. Moreland, and it is now working very well.

31239. Are these kanungos under the orders of Mr. Moreland or of the Collector?—They are under the Collector.

31240. Suppose a kanungo had to be transferred from one place to another, who would pass the order?—If it was in the district the Collector would pass the order; if it was outside the district I think it would be the Commissioner, but possibly he would consult the Collector.

31241. You have told us that apart from *tahsils* you have no regular sub-divisions in this province?—Yes, there are one or two.

31242. Have you thought about the question of creating sub-divisions on the same plan on which sub-divisions exist in Madras and other provinces?—I do not think they are required in this province; our districts are small and as a rule they are compact; the officers are much better at headquarters.

31243. When they are at headquarters very often they are in charge of one or two *tahsils?*—It depends on the work of the *tahsil.*

31244. And at the same time they are probably also in charge of some department at headquarters?—Yes, sometimes.

31245. Is that a satisfactory arrangement?—The Treasury Officer is always at headquarters, so you make most of the headquarters departments over to him; for example, he would generally be in charge of the English office, the sales, the accounts, and other things

31246. Do you think it would be an improvement if an officer was told off to be in charge of his own sub-division and you had no Sub-Divisional Officers at headquarters?—No.

31247. But you would not make that an invariable rule?—No.

31248. You do not think, under that rule, he would be more in touch with the people of the sub-division?—No, he gets into touch by going out into camp and seeing the people.

31249. You do not recommend restricting the existing powers of appeal?—I have recommended certain restrictions.

31250. That is so far as the executive authorities are concerned; I mean the right of appeal as it is understood by the people?—No, it is no good making rules, because the rules would have no effect.

31251. (*Mr. Hichens.*) You say with regard to a certain proposal that it would have required the sanction of the Government of India, and therefore it was dropped?—It was not worth making.

31252. It involved so much bother that it was not worth making?—Just so.

31253. Does it often happen that the sanction of the Government of India involves so much bother that matters are dropped altogether?—I could not say it very often happened; it sometimes happens that we do not trouble Government with things that we have not got the power to do ourselves. A case occurred the other day; it was not of sufficient importance to trouble the Government about.

31254. In the latter class of case would it not be worth while to get the rules altered?—If anything like a typical case occurred which we thought involved a question of principle we should send it up.

31255. Would you suggest that District Boards should have powers of taxation?—No. They are much better as they are.

31256. Is that one of the reasons why they are not so efficient as Municipal Boards?—No, that is not the reason.

31257. Is it one reason?—I do not think so.

31258. Would it not be a way of developing their sense of responsibility if they had powers?—I cannot conceive any possible system under which they could have powers.

31259. Is not administrative responsibility without financial responsibility rather a dangerous thing to give a body?—Theoretically I suppose it is. If you have a big area like a district and you have a few isolated gentlemen scattered about over it knowing nothing absolutely except their own village, I cannot conceive how you can trust them with powers of taxation. A municipality is quite different; all the members live in the same town and they all know it more or less.

31260. Local Boards have been abolished here?—Yes; they were never found of the least use.

31261. Was it possibly because they had not bigger powers?—They would not take any interest in their duties.

31262. Possibly they had not got anything worth taking an interest in?—They had their schools and roads; it was simply a district in miniature, but in my experience they would not even take the trouble to look after such matters as tree-planting on their roads or the repairs of their schools.

31263. It was a small area, *à priori* one would have thought that they would have been more likely to be interested in a small area than in a big one?—That was the hope when they were first appointed, and it was found to be not well founded.

31264. What does the Collector's grant cover?—His cold weather establishment, the cost of furniture, and so forth, nothing to do with buildings; simply his office expenditure.

31265. Does it include things like books?—Yes, it would include books.

31266. From time to time we have had a complaint that the Collectors were not able to purchase books?—

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They had no power to purchase books without the sanction of the Government; the Government says you may purchase books, but out of your contract grant, so that even if he has the money a Collector cannot buy a dictionary without the sanction of the Government.

31267. Could it be laid down that when the amount is sanctioned in the budget he may be allowed to spend it as he likes?—There might be a certain amount for books and he should be allowed to spend up to that amount.

31268. The statement has been made to us that the actual sanctioning of the budget does not carry enough permission to spend money with it—that there are such a crowd of other sanctions which are necessary afterwards. It was suggested that more might be made of the passing of the budget as giving sanction to spend the money?—The rule is that merely making provision in the budget for certain expenditure cannot authorize you to incur that expenditure, if it is an expenditure that requires special sanction. For example, if you had Rs. 100 allotted in your budget for books you could not buy books with it; you still have to go up to get sanction for particular books.

31269. In regard to the Commissioner and Collectors, for instance, would it be a practicable scheme that when their budget was passed they should have a comparatively free hand without any further sanction?—I think so.

31270. Are not the exceptional sanctions that are required very largely formal?—I fancy they must be, because you show your budget provision and it is the Accountant-General who objects and says that you have not got special sanction.

31271. The main thing, especially in regard to a contract grant, would be that the Collectors keep within that, not that he spent Rs. 5 more on books and Rs. 6 less on stamps, and so on?—I think so, provided he keeps within his contract grant.

31272. You think the Local Government should have a fairly free hand in the expenditure of its own moneys, subject to general principles the details of which should be worked out by the provincial Government?—I think so. I would give them a fairly free hand provided they did not exceed their budget.

31273. How far do you think that the pension restrictions could be relaxed?—I do not know; the Board have nothing to do with pensions.

31274. In other parts of the world there is a provision in regard to pensions that the Executive may make exceptions within certain limits under the law, but beyond that in case of urgency they may make exceptions and then lay them on the table of the Legislature and get the approval of the Legislature afterwards; would that be a practicable plan here?—No, because the Legislature is not an executive body at all; it is simply a legislative body.

31275. The object is that there should be that amount of publicity; you think that would not be possible here?—I do not think it would be of any much use; publicity here means the sanction of the Government of India; you would have to go up to them.

31276. If a certain amount of publicity is desirable, you think it should come through the Government of India?—I do not know what the details are quite, but the Government of India might lay down "When you depart from this rule you must let us know so that we may be able to say if we think fit this must not occur again."

31277. You think that would be enough?—I think that would be enough in most cases.

31278. (*Chairman.*) You said something about budget sanction. The inclusion of expenditure in the budget conveys no sanction at all?—No, it has to go to the higher authority if it requires special sanction; if it is an ordinary charge it does not. For example, you budget for an increase in the pay of a clerk and the budget is passed; that does not authorize you to increase the pay of the clerk; you have to go up and get special sanction and show that you have got provision.

31279. With regard to the appointment of tahsildars, you think that tahsildars ought to be appointed, as I understand they are now, from a provincial list, or preferably from a divisional list?—I am in favour of the present system.

31280. Is the tahsildar often moved about from division to division?—As seldom as possible, not often.

31281. Then what is the object of having a provincial list?—You get a better class of men. What happens at present is that every District Officer and every Commissioner sends up his nomination for the year—the best he can pick out, and the committee meet, of which the two members of the Board are members, and they pick out the very best man out of the whole province; if each Commissioner appointed one man he might not get the best man for the post. I think we get a better class of men by enlarging the field of selection.

31282. It is desirable that the Commissioner should have at his own discretion a Public Works budget for his own division?—He has it, but it is a very small one and not sufficient; it is only for petty works not costing ever Rs. 500. We have asked the Government to largely extend it.

31283. Suppose the whole Public Works provision for the province were given in more or less equal portions to each division, would you allow the portion falling to a particular division to be re-apportioned by the Commissioner at his discretion for Public Works within that division? No, I prefer the present system; that is that the necessity as to the main works should be decided upon by Government, which knows the needs of the various divisions.

31284. You said that you were not in favour of the remission of revenue by the Collector, but that the matter has been under consideration recently and that you were not in favour of it?—What I meant was that an instance had come to my notice in which a Collector had taken certain action which we thought was very wrong and it caused trouble; I am not in favour of giving Collectors the power of remission and suspension—only of recommending them as they do at present.

31285. But because a particular officer makes a mistake is that a reason for generally debarring a whole class from the exercise of that authority?—I also had in view the fact that many of our Collectors at certain seasons of the year are very junior officers, and it is possible that these proposals might come up in their time.

31286. Might it not be possible to give the permanent Collector a power which you would refuse to an acting Collector?—I am against the delegation of that particular power.

(*The witness withdrew.*)

Adjourned.

FORTY-NINTH DAY.

AGRA, *Monday, February 16th*, 1908.

PRESENT:

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

Mr. H. C. FERARD, C.I.E., was called and examined.

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31287. (*Chairman.*) You are the Magistrate and Collector of Saharanpur?—Yes. As such I am the Chairman of four municipalities and Chairman of the District Board.

Collectors and Sub-Divisional Officers have sufficient powers in revenue matters. Most of my experience has been in districts specially exposed to the bad effects of drought and during a period in which droughts have been specially frequent. Hence the question of revenue relief by suspension or remission has been constantly before me. In 1896–7 famine extended powers to Commissioners and Collectors would have resulted in more prompt, if not fuller, revenue relief. Relief in this way was not so generous as it was in the actual relief of distress. In the Allahabad district I had a good deal of worry, and so had the people, in connection with the arrears of revenue left over by the famine, most of which had ultimately to be wiped off as irrecoverable, and should have been wiped off sooner. In Muttra I asked for, and obtained, for the loss of autumn crop in the last scarcity a more liberal scale of relief than that laid down in the Board's circulars, but it was not sanctioned for the damaged spring crop, though it was warranted. The scale of revenue relief laid down for guidance in paragraph 14, Board's circular No. 6—III, a scale which emanated from the Government of India, is hardly sufficiently liberal, and I should like to see "suspension" wiped out of the official dictionary and "remission" substituted. But my experience has been in the less favoured districts, and my views may be unsuitable for general application; if applied in well favoured districts the moderating influence of the Commissioner or Board of Revenue would probably be perfectly right. I think that when it comes to signing away Government money by lakhs the Board of Revenue's approval is useful even to Commissioners with no desire to shun responsibility. The process must stop somewhere, and it should stop with the Lieutenant-Governor, who should be free from limitation by the Government of India. As a Collector, I do not want extended powers; full consideration for the views of the man on the spot is sufficient; nor do officers in charge of sub-divisions need more.

As regards Court of Wards, in districts where there are sufficiently large estates a manager is appointed and relieves the District Officer of a good deal of the work and responsibility, though not all. In other districts, where the estates are not large enough to support a fully-paid manager, an assistant manager is appointed and the Collector's responsibility and supervisional duties proportionately increase. The estates in the Muttra district are of the latter kind and took up much of the time, not only of the Collector, but of one of his assistants intended for district work. Improvement in system might be effected by lumping the estates in several districts under one manager where one for each district cannot be arranged for.

I have no strong views on the question of limiting the right of appeal to Government, but I am entirely against the suggestion to shift from the Local Government on to the Administrative Officers the duty of deciding whether an appeal to Government should be allowed or not. It seems to me contrary to the principle which underlies the right of appeal.

As regards the sufficiency of the Commissioner's influence, it depends on the man. One of the best Commissioners whom I have served under insisted on his Collectors letting him know if direct communication on any but routine matters passed between them and the departments. He knew that the departments, with the best intentions, required watching. Senior Collectors can look after themselves pretty well, but junior Collectors are sometimes unwilling to differ from the higher officers of departments. During the short time I was officiating as Commissioner of the Agra division last year an impossible letter on the subject of plague came down to District Officers direct. Luckily a copy was sent to Commissioner, and subsidiary instructions were sent to District Officers modifying the letter to reasonable limits. I have often resented interference with my actions or orders by Commissioners, but less so as I became more senior, and the Commissioner is a most useful buffer on both sides between the District Officers and the departments. My experience has been that they perform this function well, from which I deduce that adequate weight is given to their views.

The opportunities which Executive Officers have for personal contact with the people are sufficient. The duties of the Collector and his assistants are multifarious and all connected with the people. The only point is how far pressure of work allows officers to make full use of their opportunities. During recent years there has been progress and energy in all departments of Government, provincial and local, and without considering important accidents, such as monsoon failures and plague, no one can deny that the present generation of District Officers is exposed to a higher pressure of official work than their predecessors. I recollect hearing from a Collector of Allahabad fourteen or fifteen years ago that he did not consider the charge a heavy one. Personally I found it so heavy that I could not give all branches of work proper attention. In many districts the Collector has to work at full pressure and has little time to lay himself out for intercourse with the natives of the country except in the way of business. But the opportunities are there and he does in fact see much of them out of actual Court hours, and there is no bar. I have never found that either the landholders or the villagers stand off; these are of course the most important classes in the country. In the towns the Collector can, and usually does, get to know the leaders of commerce pretty well, and I have had good friends among the leaders of the legal profession; but the bulk of the legal profession are busy men and out of Court they have not many points of contact with the Collector.

Executive Officers know the vernaculars sufficiently well.

Of the three districts where I have served as Collector, Allahabad is, in my opinion, too large a charge for one man. Banda is a little unwieldy, but, having a sub-division at Karwi, can be efficiently worked, and Muttra in ordinary years is a comparatively light charge. In Allahabad the large municipality and civil station, not to mention the incidental work which the large cantonment indirectly entails, take up an undue proportion of the District Officer's time considering the large area of the district proper. In places like this there is scope for the appointment of a Joint-Magistrate with a local allowance (to ensure seniority and continuity of tenure) as City Magistrate. This would to some extent relieve the District Officer in his headquarters

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work, but I see some difficulties in the proposal if the appointment is to be a real help to him. Except in the case of City Magistrates, the multiplication of assistants does not materially lessen the District Officer's work (it sometimes increases if they are not full-powered); but as regards their own work I think the *cadre* of both Covenanted and Native Assistants has of recent years been below the mark.

It is to the advantage of a District Officer and his district that the staff should not be changed too frequently. On the other hand, it is a good thing that Civilians in their earlier days should get varied experiences of the provinces, and I could have done with a little more experience myself. Transfers are unnecessarily frequent only in so far as they are caused by the *cadre* of officers being below the number needed. I have no doubt Government has often to take a man from one district where he is really wanted merely because another district wants him rather more. I am not going beyond my own experience in saying this as I have sometimes been the Collector who lost the man. As regards Collectors, I have not been transferred too frequently myself.

I do not recommend larger powers to municipalities. In the case of large municipalities like Allahabad they have quite as much as they can be safely entrusted with, and in the case of the smaller ones more than enough. The former would suffer if the official element were withdrawn from them and the latter would come entirely to grief. Further powers cannot be given to municipalities without emphasizing more clearly the authority of Government through the District Officer,—in fact converting the Boards into Advisory Committees of the District Officer. In the case of most small municipalities this is what they practically are at present, and the same applies to District Boards. It is a fallacy to suppose for an instant that these Boards run themselves or can do so. They may in the very distant future, but meanwhile the District Officer as Chairman has to run them, do most of the work by official agency, and bear nearly all the responsibility for efficiency or the reverse. He sees local self-government at close quarters and has a poor opinion of it and does not want more power for his Boards. My remarks have no reference to large manufacturing centres with a strong European element like Cawnpore.

I am strongly against the formation of Advisory or Administrative Councils to assist the District Officer. The former are superfluous, and the latter would be a hindrance and a blunder. The District Officer knows best whom to consult on any particular question on which advice or opinion is needed and whom to ask for help if he wants it. Even if he is new to a district he has his predecessor's notes, and if he is fit for his post he gets to know the ropes very quickly. If he is junior he has his Commissioner to guide him. The people of these provinces are, nine-tenths of them or thereabouts, rural with no knowledge of, or desire for political forms. They look on the District Officer as the agent who carries out what the Lieutenant-Governor thinks and orders. They could understand, if they thought about it at all, that the Lieutenant-Governor might find an Advisory Council useful in formulating far-reaching measures of general policy; but that the executive Head of the district should be saddled with a Council or advisers of any but those of his own choosing would be liable to be misinterpreted as distrust by the Government of its own officers. It would weaken the administration and be a very great mistake.

I do not think it expedient to confound relations by investing District Boards with control over the small municipalities. The proper person to invest with this control is the District Officer, who practically has it now.

I see little chance of successfully utilizing the village communities in police, sanitary, educational, and similar matters. Communities are too much broken up nor are their inclinations in this direction. The experiment of village munsifs for petty and local civil cases is being tried in several districts, and it was fairly successful in some of the Muttra village circles, though it was not always easy to find suitable men. I doubt if it would answer in criminal cases. It would lead to petty cases being exaggerated into grave ones to get them away to the regular courts.

31288. Do the municipalities in your district work by committees?—One municipality works by committees; the others do not.

31289. How many committees are there in this one municipality?—Four.

31290. Are there Committees on the District Board?—Yes, each *tahsil* has a Committee.

31291. Are you Chairman of all the Committees?—No, I am not Chairman of any.

31292. Do you do practically the whole of the work of these four municipalities?—No. The headquarters municipality has a Secretary and two Vice-Chairmen; the Secretary does a good deal.

31293. You, as Chairman of the municipality, attend their monthly meetings, but you leave the work of the municipality to be done by the Vice-Chairmen and Secretary?—I do not leave it entirely; if I want to do anything I do it myself, and if I wish anything done I act through them; there are certain things which I leave to them.

31294. You keep the direction and leave them to do the business?—Exactly.

31295. Is it the same with regard to the District Board?—Yes, it is much the same; of course one does a great deal one's self in connection with the District Board, because the District Board works over the whole district, and the Collector is on tour and his Covenanted and other Assistants are on tour. The inspection of schools and roads and so on is done by the Collector on tour or by his Assistants, as opportunity offers; the Collector initiates and directs. It is absolutely impossible with 300 or 400 schools, and a large number of miles of roads and with arboriculture, that the Collector could do it himself, but he has a general knowledge of it; he has his Assistants touring round and that is how he works it.

31296. How long have you been Collector at Saharanpur?—I took over charge in December.

31297. Have you got to know the district since December?—To know a district properly takes about a year; I am not prepared to say that I do know the district; I know a good deal of it; I am not prepared to say that anyone could know a district in two months.

31298. Your predecessor left you notes?—Yes, every Collector leaves notes to his successor.

31299. Did they contain the names of prominent persons in the district?—Yes, I have a book of those.

31300. Therefore, if you wish to ascertain what local feeling is upon a particular point, you have directions more or less ample which enable you to go to prominent persons and say "What do you think of such and such a proposal"?—Yes, and they come to me. Sometimes one goes to a district and people come to me and one gets to know them and makes notes, and in course of time one gets to know everyone in the district.

31301. Do you consult them freely?—Very freely.

31302. Have you a settlement Commissioner in this province?—There was a Settlement Commissioner, but now the work is done by one of the members of the Board of Revenue. When a large number of settlements were in progress a Settlement Commissioner was found necessary, but recently settlements have decreased and the work is done by one of the members of the Board of Revenue. When a great many districts are under settlement a Commissioner is necessary, but when as at present there are few settlements on, it is not necessary.

31303. The actual work is done by whom?—By the Settlement Officer; the settlements go up to the Settlement Commissioner on revision. They go up to him to be passed; practically there is no appeal I believe.

31304. You tell us that you have been on famine measures, and you found that at the last famine the local officers could not get as full sanction to measures as they wanted?—I did not quite say that. In the 1896 famine there was very ample expenditure on the preservation of life, but there was not quite sufficient liberality in wiping off the arrears of land revenue.

31305. Is that rather that not sufficient power was in the hands of the Collector?—It was the policy to spend a great deal on actual preservation of life, but the policy at the time in giving a clean sheet to the raiyats subsequently was not sufficiently liberal. If

more power had been in my hands—I am not prepared to say that it should be in the hands of the Collector entirely—I should have wiped off more arrears than actually were wiped off; if it had been in the Commissioner's hands the probability is he would have wiped off more. I saw a great deal of the wash-up of that famine afterwards. A good deal was wiped off in the Allahabad district; that should have been wiped off earlier.

31306. And would have been if it had been left to the Local Officer?—I am not prepared to say that; I should have done so myself; it is quite conceivable that some junior men would have fought shy of wiping off what I thought necessary.

31307. Are you satisfied that the Local Officer has a fairly free discretion in plague measures?—Yes, it is left to him pretty well.

31308. Are the plague and famine accounts very complicated?—Famine accounts now are more or less necessarily complicated, but they have been simplified a good deal in the last year or two, and they have introduced a regular account system which relieves the Local Officers of a good deal of trouble and responsibility in the matter. When large amounts of money are spent you cannot get on without accounts, but Government has certainly done much to relieve the officers in that respect; there has been a simplification of accounts.

31309. Could more be done?—No, I am perfectly satisfied; the accounts were much more troublesome, and there was much more responsibility on the Local Officer in the 1895–6 famine, but they have been simplified since then.

31310. You tell us that the Commissioner has sufficient powers, but something might be done in Court of Wards work between the Collector and the Commissioner?—In the Allahabad district there were large Court of Wards' estates and there was a manager; he did most of the work, and there only remained with the Collector just the amount of work that was necessary. He was over the manager in big matters, but he was well relieved of the work. There are some districts where the income of the estates is not sufficient to pay for a manager; then an assistant manager is given. The assistant manager is a low-paid man on Rs. 75 or something of that sort; of course he is not so trustworthy or so good as a full-paid manager. The Collector has to keep a very much closer eye, and has more trouble in connection with the assistant manager than he would if he had a superior officer. The Collector puts on one of his own district staff, his Deputy Collector or Assistant Collector; he keeps an eye on it himself, and it is run in that way. That takes up the time of one of his district staff.

31311. Have you power to sanction expenditure outside the budget of the estate?—No.

31312. Would that not be a useful power?—I am not prepared to say that one should give up the budget system; it would relieve the Collector no doubt of a little trouble and give him a free hand, but it would be rather a dangerous thing to give up altogether.

31313. How many estates have you in your charge?—I have now no estates; I am speaking of Muttra where I had several.

31314. You tell us that with regard to plague an impossible letter came down to the District Officers direct. What department of the Local Government was it who addressed the Local Officer over the head of the Commissioner?—That was the Chief Plague Officer. He was created when plague spread over the provinces to carry on plague measures.

31315. Was he in the Medical Department?—The Medical department was split up into two; there was the Inspector-General of Civil Hospitals; plague was separated off and it is now given to a Chief Plague Officer.

31316. But was he the head of one of the permanent departments of the Local Government?—I think plague was separated in the Secretariat into a separate department for the time being; whether the Chief Plague Officer is subordinate to the Inspector-General of Civil Hospitals or not I am not prepared to say; I think he deals direct with the Government. The letter I mentioned came from him.

31317. Is it the habit of an officer at the head of one of the permanent departments of the Local Government to correspond direct with Collectors over the head of the Commissioner?—It is not the habit; the proper channel of communication is through the Commissioner, but there are certain letters, immaterial and routine letters, which occasionally come direct; sometimes letters do come down which should come through the Commissioner, so that he could object or pass them on.

31318. Can you give an instance of another department?—I mentioned the case of the Medical Department; occasionally letters come down even from one's own department from the Board of Revenue. I can remember a recent instance in which a letter came and on seeing it I said "That should have come through the Commissioner"; it came from the Secretary of the Board of Revenue. I do not say that is usually done. It was on the subject of land revenue collections, practically expressing a desire that was tantamount to an instruction.

31319. What was the date of the letter?—It was this month. It is quite possible, as in the case of the plague matter that I mentioned, that a copy went to the Commissioner. I was contemplating writing the Commissioner, asking whether it had come to him.

31320. (*Sir Frederic Lely.*) You say you were asked, when appointed District Magistrate at Banda, to give an undertaking not to go on furlough during a certain period; is that a usual condition to impose?—'t was a usual condition in that particular district of Banda.

31321. Would there be any objection to extending it to other districts?—Government servants under the rules have certain rights of leave, and it would be rather a drastic measure to forbid all Government servants going to any district from asking for leave.

31322. As a matter of fact, a man cannot reach his full measure of usefulness in less than three years?—Certainly not less, not as a District Officer.

31323. Therefore it would be advantageous to the administration?—It would certainly be advantageous to the administration that a District Officer should stay for not less than three years consecutively in any district.

31324. Would it be advisable to impose that condition in more instances than is done at present, or to impose it as a general rule?—I was a junior officer in this case; the consideration for my getting this district for three years was that I should not ask for furlough; you could hardly extend that generally, because they would be putting people in over other people's heads.

31325. Suppose a Collectorship fell vacant in February, and it was well known that the next man on the list for it intended to take leave in July, would you still put him in, although you knew that only a five or six months' tenure was possible?—It would be advantageous to the administration not to do so.

31326. Can you make any suggestion on that point which would be acceptable to the Service?—No; I cannot go beyond the fact that I think District Officers should be kept as long a time as possible in each district.

31327. Up to what time?—Up to, say, five years; but as to over-riding the one-year-in-five furlough rule in the case of Covenanted Officers and the power to ask for that furlough at any time, I am afraid I can hardly admit that.

31328. You are not prepared to say that the fact that a man can only hold the office five or six months should deter Government from appointing him?—Government should take it into consideration; it works in with the power we have in our covenants for one-year-in-five furlough; it would be over-riding that to make this a fixed rule.

31329. You can have very little hold on the details of municipal administration in four towns?—No, I have a very good hold; I go to as many meetings as I can myself, and I always send my Joint-Magistrate, who is a member of every Municipal Board; then there is the Secretary, who is in absolutely close touch with me.

31330. Would it not be better to make the Sub-Divisional Officer the Chairman of each municipality?—He is practically that; he is Vice-Chairman.

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31331. But why not make him Chairman, and leave with him the full responsibility?—I think the responsibility should remain with the District Officer.

31332. You have territorial sub-divisions with an Assistant or Deputy Collector in charge of each. Is he not in much closer contact with the general trend of things in the sub-division than the Collector can possibly be?—As to certain minor points he is, but not generally.

31333. But most of the municipal business in small towns consists of minor details?—Of course there is a great deal of minor work, and there is a great deal of major work. The efficiency of the minor work depends a good deal on the control which the Chairman and Vice-Chairman have over the general administration.

31334. He being, as a matter of fact, largely responsible, would it not be better to make the Sub-Divisional Officer nominally so?—No, I think not; his position as elected Vice-Chairman answers the purpose best.

31335. You said there were two Vice-Chairmen in each of these municipalities?—Yes. The Vice-Chairman is the Joint-Magistrate or the Senior Assistant Magistrate of the district. By a Government order the Joint-Magistrate or Senior Assistant Magistrate of the district is a member of all the municipalities; that was introduced a few years ago; it came up in connection with octroi.

31336. He is no more in immediate contact with the municipality than the Head of the district is?—Yes; he is always there.

31337 I am not referring to Saharanpur; I am referring to these outlying municipalities?—Another one is Deoband. I have an Assistant Magistrate at Saharanpur who goes to all those meetings if I do not happen to go myself. On the other side there is the Roorkee Sub-Division; there is a Covenanted Assistant there. There are two municipalities—Roorkee itself, which is his headquarters, and the Hardwar municipal union; he is in absolute touch with both those.

31338. The Sub-Divisional Officer there lives in the sub-division?—Yes.

31339. Should he not be Chairman of the municipality?—Leaving the Magistrate, you mean, with just his control as Magistrate; I am not in favour of that, because the Sub-Divisional Officer at Roorkee may be at any time a junior officer; if you could have a senior officer as Chairman of the municipality, I should agree.

31340. What better training could you have for a junior officer than the management of municipal affairs, which are usually of a very trivial character, in close contact with the non-officials of the town?—I think he has that as Vice-Chairman; it is very excellent training; but I would not dissociate the Magistrate from his position as Chairman in these smaller municipalities.

31341. Is your other Vice-Chairman a non-official?—Yes.

31342. Does much of the work devolve upon him?—Yes, he does a great deal; it depends a good deal upon the Vice-Chairman; the Vice-Chairman at Saharanpur does a great deal.

31343. Would you make him Chairman as an experiment?—No, because I am certain it would not work well.

31344. Do you speak from your knowledge of the man?—No, I speak generally of the whole system. Occasionally you would get cases where it would work well, but, generally speaking, it would not; in fact, in the Saharanpur district, among my municipalities, there is not one municipality where I would make any of the non-official Vice-Chairmen Chairmen.

31345. Not even as an experiment?—If the experiment is required there is no reason why it should not be made, but I am quite prepared to say beforehand that the result would be an absolute failure; he might be made Chairman, but the District Officer and one of his assistants would practically run him.

31346. There would be no great disaster resulting even in that case?—No, but I would not take responsibility for the efficiency of the municipality if that arrangement were made. If I was asked to make the experiment, I should say, "Make it, but it will not be successful, and I will not be responsible for the municipality."

31347. Would you not lay great stress on the promptitude of remissions as giving heart to the people in time of scarcity?—I would lay great stress on the promptitude of suspensions with the prospect of remission following. As to one's saying at once, "I remit all this," that rather bars you from correcting possible errors afterwards. I would order suspensions, and hold out prospects of remissions.

31348. Would you give the Collector power to remit within certain limits, so as to enable him to deal with local calamity such as hail or flood?—It is not necessary to do that; it is quite sufficient for him to have power to suspend, and to have sanction to remission afterwards.

31349. Would it not be a great help to administration to enable him to deal promptly with cases of that kind?—That is met by his present powers of suspension, with remission to follow.

31350. Do the people care at all about suspensions?—I have been in rather special districts, and I am very much for remissions as against suspensions; I think they do not care very much for suspensions; they care more for remissions.

31351. You would not give the Collector power to remit?—No, I would have the sanctioning authority over him.

31352. Even to the amount of Rs. 50?—That is dealing with rather small sums; there might be no harm in going to Rs. 200.

31353. No higher?—No; I would let the Collector suspend only. As to Rs. 50 to Rs. 200, a small matter of that sort, I am indifferent entirely.

31354. You are not in favour of the Collector having any power of remission at all?—I do not think it is necessary; I think there should be superior authority over the matter of remissions.

31355. Should the Collector have more power over an estate under the management of the Court of Wards?—He has quite sufficient; he has it under the Act.

31356. Has he power to appoint a manager?—Government appoints a manager; that is in the Court of Wards Act; either it can appoint the Collector or it can appoint a manager.

31357. The Collector has no power in the matter at all?—No; the Board appoints a manager and assistant managers; if a Collector wanted a special assistant manager he would mention it, and it might or might not be done.

31358. Has the Collector power to remit rent?—He is given powers, not to remit rent but to suspend rent; rent and revenue go together.

31359. Has he any power over the education of the ward?—Yes.

31360. Could he remove him from a school, or send him to a school, or arrange for his holidays, on his own authority?—Yes, that is one of his duties; he would send up his proposals for sanction.

31361. He has no power of his own authority?—No. There would be a Government grant for the education of the ward, and the Collector would elect to send the ward to this or that school.

31362. That would have to be sanctioned?—Yes.

31363. He has no independent authority of any sort?—In practice it amounts to a great deal; if he says, "The ward is doing badly at a particular school, and I want him put to such and such a school," the court would not say, "You are totally wrong."

31364. (*Mr. Dutt.*) You had been in charge of other districts before you came to Saharanpur?—Yes.

31365. Looking at the province as a whole, we have had evidence from a witness that in the case of some moderate size municipalities, the experiments of having non-official Chairman might be successfully tried; do you agree?—I do not agree; I do not think it would be a good thing at all. I am not prepared to speak as to other districts, except where I have been; I have been in Banda and Allahabad; Allahabad, of course, was the principal municipality, and I certainly would not have a non-official Chairman there.

31366. In any of the districts you have been in would you have non-official Chairmen?—No, I would

not have non-official Chairmen; I would have non-official Vice-Chairmen if you like, but I would have the Collector as Chairman.

31367. You are aware that there are non-official Chairman of municipalities in Bombay and Bengal?—I know there is a non-official Chairman in one district in our own provinces; I do not know about Bombay or Bengal.

31368. Do the non-official members of municipalities take much interest in the work?—Some of them do and some of them do not. Generally speaking, they take little; it varies with the individual.

31369. Is it likely that they will take any interest in the work unless some real work and real power is given to them?—I do not think that those who take no interest now would take more even then.

31370. Under the present circumstances is it possible, taking human nature as it is, that men would take very much interest in work when the whole of their work is just to say "Yes" or "No" to questions put before them?—But saying "Yes" or "No" is not the whole of their work when they come to meetings.

31371. But unless they are given some real authority over the work which they have to execute, is it likely that they would take any interest?—That is a matter of human nature. I think the generality of members would prefer the present system.

31372. Are the irrigation rates consolidated in this province with the land revenue?—No.

31373. Are the irrigation rates changed from time to time?—No; occasionally there is a change in the rate prescribed by Government, but it is very rare; they are regular fixed rates.

31374. There is no rule as to the same rate continuing for 30 years as is the case with land revenue?—No; the irrigation rates are on the land which is irrigated each year. The rates are not altered as far as I know. The Irrigation Department say what should be the rates on certain land. Last year there was a revision of canal rates; it was raised on some crops and lowered on others; that is quite distinct from settlement.

31375. Would you favour any general rule that very junior men in service should not be in charge of districts?—No; certainly it is advisable that an extremely junior man should not be Collector, because he has not got sufficient experience. Probably, if Government had more men they would get sufficient senior Collectors; the difficulty is that they have not got quite enough Civilian staff and sometimes they come down low. The only remedy is that the staff should be increased so as to have more senior men.

31376. After what experience do you think a man is fit to be in charge of a district for long periods?—I should not like to put it at less than 10 or 12 years.

31377. Would you like to make a general rule that the Sub-Divisional Officer should live in his subdivision?—The districts are not so large in this province as to render that necessary; there are probably some exceptional cases in which it might be introduced. For instance, in the district where I am at present, I have one of my staff stationed there; he is called a Sub-Divisional Officer, but he is really one of my staff; in these provinces the sub-divisions are not of such a large area as to render that generally necessary.

31378. You have no sub-divisions apart from the *tahsils*?—Yes, there are a few districts where there are; there is the Banda district, which has three *tahsils* in the sub-division; then there is the Hamirpur district, which has two; there are about four or five districts in this province where there are sub-divisions which include more than one *tahsil*, and where there is a resident Sub-Divisional Officer with a local allowance.

31379. Would you like that system to be introduced generally?—I do not think it is necessary. Our districts are not sufficiently large to make that necessary, as a general rule.

31380. The income of your District Board consists of the proceeds of the cess and also of certain contributions by Government?—Yes, the Government have recently contracted with the District Board to give them about one lakh thirty-five thousand.

31381. Have you a free hand as to allotting the money to different subjects?—There is an annual budget sent up. If I wanted to put the whole of it into schools and none into roads, I should have a difficulty in doing it, so that it is not an absolutely free hand.

31382. Is there any such rule as that the whole of the proceeds of the cess should be spent on roads?—No.

31383. Generally speaking, what you spend on schools comes from the contribution made by Government?—The Government give the District Board so much a year from contribution and cesses: the amount is so much, and that is divided into various budget heads.

31384. The whole of the primary education, as also the secondary education (barring the school at headquarters) is now in charge of the District Board?—Yes.

31385. Is your subordinate staff capable of inspecting and managing the primary schools?—They carry out their work very efficiently under the District Boards with the help of the inspecting staff, who go round also.

31386. So far as primary schools are concerned, is the help of the Educational Department Officers necessary?—No; the deputy-inspector can do it quite well, and he has the other officials continually inspecting, too.

31387. Would it be an improvement if the deputy-inspectors were transferred to the Education Department instead of being kept as servants of the District Boards?—No; I would not dissociate the primary schools from the Chairman of the District Board.

31388. As District Magistrate have you now got sufficient control over the police to ensure good police administration?—Yes, we have sub-inspectors under us immediately; that is to say, with regard to his punishment or reward, the sub-inspector has to come to the Magistrate. In the subordinate grades it passes by the Magistrate; whether the clerk who writes the reports (the officer they call the reporting clerk at the police-station) should not be directly under the Magistrate, too, is a doubtful question. I am in favour that he should be, but that is a point which was discussed in this province last year, and it was decided against, and it is not very material. The Superintendent of Police is for all practical purposes the Magistrate's co-adjutor or assistant, and nothing can happen to the important police officers such as the sub-inspectors without its coming to the Magistrate; there is sufficient control.

31389. His power of control has not been affected materially by the rules framed according to the recommendations of the Police Commission?—No; it has not been altered materially.

31390. (*Mr. Hichens.*) In the case of purely local misfortune, such as loss by a hailstorm, would you give the Collector final powers of remission?—No, I do not see that it is necessary; you may get junior Collectors; it probably helps him *not* to have a final say. Suppose a junior Collector gets in and there is a local calamity, he might be a little more severe than he would be if there was a man over him.

31391. The questian whether there should be remission or not would depend ultimately on whether the crop had or had not been destroyed?—It would depend in the last resort on the Collector, of course.

31392. There are no definite rules laid down?—Yes, there are definite rules laid down.

31393. Therefore it really becomes a question of fact and the person who has to interpret those facts would be the man on the spot?—It would all depend on the inspections made by the Collector or the Assistant, and he would report that so much should be remitted.

31394. Is the theory of assessment here based on averages?—You mean the 30 years' settlement; yes, it is based on averages.

31395. For ordinary bad crops there would be no remission at all for one bad year?—If there was a small amount of loss in a single year nothing would be granted, on the idea that when the last settlement was made it was made on the general consideration of a certain number of fat years and a certain number of lean years and on the average of the whole.

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31396. Would you be in favour of allowing the Collector to spend his contract allowance, when once the budget is passed, without further sanction?—Yes; I have not had any trouble myself in that matter.

31397. It might save references and a certain amount of trouble?—Quite so. As a general thing it is well that there should be some superior financial controlling officer.

31398. Would you not get the control through the Audit Officer who would report on how the money had been spent?—Yes; but you would have the trouble of starting some time afterwards; by having a controlling officer at the time, if it is going to be spent in the wrong way, you can say, "No" and the matter is ended; otherwise the money is spent wrongly and there are hours of correspondence afterwards in rectifying and explaining.

31399. The Collector is, usually, a man of some twelve years' experience, one of the most highly trained officials in the work; he should be able to take some responsibility on his own shoulders?—Yes, in regard to details of finance.

31400. With regard to Court of Wards' estates; in the same way when once the budget is passed might the Collector again be allowed to spend it without further sanction?—Yes; within the heads laid down by the budget.

31401. Would you give him power to transfer from one head to another?—It is a good thing that he should not transfer between major heads.

31402. You would give him the power to transfer between minor heads, but not between major heads?—Yes.

31403. Does the thirty years' settlement include cesses?—Yes.

31404. Then it would not be possible to vary the cess within the period of thirty years?—No, sometimes the cesses are reduced; some cesses are less than they were five years ago, because the Patwari Cess has been taken off; it would not be possible to increase them.

31405. Is sufficient importance paid to the training of junior officers?—I always take very great trouble myself in training junior officers; I think it is a most important thing; they are the Collectors and Judges of the future.

31406. Speaking from your experience, has as much attention and trouble been given to that branch as should have been given?—I think a very great deal is taken by the District Officers under whom the juniors are placed. I can honestly say that I have taken a great deal of trouble with the assistants who have been placed under me. I am not prepared to speak as to other people's experience.

31407. Does the Government pay enough attention to the question?—All Government can do is to put their junior officers under seniors; Government cannot train their young officers personally.

31408. Is not the object to train up the junior officer in order to be as efficient a Collector as possible?—Yes, to be as good Collectors and as good Magistrates as possible, *i.e.*, good District Officers.

31409. For that purpose the young officer would want varied training?—Distinctly.

31410. Does he get a varied training within his own province to-day?—Yes.

31411. Does he spend most of his time in one district?—No, he is shifted about a good deal.

31412. Would it be desirable that he should, if possible, spend a certain time in another province in order to gain wider experience than is possible in his own province?—No; that would be absolute waste; he has to learn the vernaculars of one province; why let a man, who belongs to the Lower Provinces, waste his time in learning the Bombay vernaculars?

31413. Would the experience of other methods be worth nothing?—I think absolutely nothing; there is quite sufficient variety of experience within his own province; there are different men, different manners, and in fact different languages and different systems; I think it would be a sheer waste of time.

31414. You were saying just now that you were not aware of the system of municipal government practised in Bombay and Bengal. Might it not be of value for an officer to have some experience of that kind assuming it to be different from that which obtains here?—I do not suppose that a short visit to another province would do an officer any harm.

31415. Would it do him any good?—I am not prepared to say that it would; I am speaking purely from my point of view of the provincial officer; persons who have had experience of both would be able to say better than I can.

31416. You do not at any rate feel the lack of experience of that sort?—How should I feel the lack of it? I have had all my experience in these provinces.

31417. Do the District Board only get a proportion of the cess that is collected within the district?—I am not prepared to give figures for that; we get a certain lump sum which is contracted.

31418. Is it desirable that each district should get the full amount of the cess collected within it?—That is a question of provincial finance with which I am not prepared to deal.

31419. (*Mr. Meyer.*) From your point of view it is immaterial how you get your money as long as you get it?—Yes, my point is, I will spend whatever I can get, and the more I get the better; I can usefully spend more than I get.

31420. It was represented to us in another province that civilians, who have come out of late years after only one year's training at home, were less prepared for their subsequent work than their predecessors who had had two years' training at home; have you formed any opinion upon that point?—I have had both under me as assistants. The men who came out younger, at the same age that I came out, were rather more enthusiastic and perhaps took to the country a little better than the men who come out now; but then we had the misfortune of coming out with a half-finished education, whereas the men who come out now are better men than ourselves who came out at a younger age.

31421. You think the higher age is an advantage?—Yes, you get formed men with their education completed. The former lot specialized too young; we get better men now.

31422. Admitting that, it may be said that they would still be better for two years' training at home?—No, unless you cut down the age two years it would be bringing them out too old and you would have to put that on at the other end; there would be a loss to the service in the end if you did that; you could not raise the age any more than you have done already.

31423. It has also been represented to us that a large proportion of the Collectors in this province are overworked. If that is so, can they really give time to the proper training of a young civilian?—Yes, they do it in this way: when the young civilian comes out at the beginning of the cold weather, the first thing that is done is to send him out into camp with a Joint-Magistrate if possible. A young civilian should be sent to a district where there is good Joint-Magistrate; he learns the language; he sees the people; he learns land records; he sees the senior officer carrying on magisterial work; when he is at headquarters he attends the Courts; he does not start on cases at once himself, but he sees other officers working, and he gets his training in that way. My own plan is to take records of cases, make him read the evidence in the vernacular and write a judgment upon it, and compare that with the actual judgment.

31424. It has been suggested that it would be a good thing to put the young civilian with a settlement party where he would live in the open and come in contact with the people, and perhaps not get prejudiced by starting with Court work and having criminals before him; is there anything in that?—No, his work is first of all more in connection with land work than with criminals; he moves about among the people. He should get a time at settlement work, and he does now; in the second year when he is fit he is sent to a settlement party.

31425. Does the Settlement Officer send in his settlement reports through the Collector?—No; through the Commissioner.

31426. The Collector therefore has nothing to say to the settlement that is about to be applied to his district?—No; the Settlement Officer is quite distinct.

31427. Ought not a Collector to have a say in a matter affecting every landed proprietor in his district?—The Settlement Officer is in a district for three or four years, and so is the Collector. The Settlement Officer is not a junior man; he is, as it were, a second Collector, sent specially to the district for settlement work; he has all the Collector's records available, and he has the Collector on the spot to consult with; there is plenty of personal and demi-official relation between them, I do not see that the Collector should be asked to impress himself on the Settlement Officer; I do not think it is necessary.

31428. May we take it that, as a rule, the Settlement Officer is senior to the Collector in whose district he is making his settlement?—He is not, as a rule; he may be senior or he may be junior, but he is not one of the very junior men; he is a specialist for the time.

31429. Suppose a Collector had been three or four years in a district, and knew it well; might he not be of great help in giving his views as to the character of the settlement to be made?—He is there on the spot, and the Settlement Officer can consult him if necessary. I can speak as a District Officer in the matter, but I cannot speak as a Settlement Officer because my experience was so very short, and it is a good many years ago; but if a Settlement Officer came to my district, he certainly would ask me about the district generally, and I should tell him. I should not want the settlement report to be sent through me.

31430. A portion of the land cess is applied for police purposes—Yes, rural police.

31431. Is that the case throughout the province or only in Oudh?—Throughout the province.

31432. Does the District Board deal much with veterinary work?—They have veterinary assistants; they are increasingly dealing with it; that is one of the points in which there is progress going on at present.

31433. In some provinces we found that, although the District Boards continue to pay, the veterinary establishments had become provincial and were managed from headquarters; that is not the case here?—No; the veterinary assistants here are directly under the District Board.

31434. Is there an inspecting staff?—Yes, there is an inspecting staff under the Veterinary Department.

31435. Practically you have a fairly free hand in running veterinary matters as you think right?—Yes, veterinary matters have not got very far now; we are trying to introduce them; the District Board has quite a free hand in the matter.

31436. Are you satisfied with the present arrangement for road management?—No.

31437. Some people have suggested to us that it might be better if the District Boards could maintain their own engineering establishment (assuming that they had the money to do so) than that they should depend on an outside authority, such as the District Engineer. What is your view?—The District Engineer is directly under the Executive Engineer, and he is under the Superintending Engineer. So far as metalled roads are concerned, which are more or less special works, I have no wish to alter that system at all. When I said I was not satisfied with the arrangements, I was thinking more of the unmetalled roads, which are under the District Board, and which are generally carried out through a District Board suboverseer who is very rarely a satisfactory officer, and there is really a difficulty in seeing that he does his work properly. Unfortunately the non-official members of District Boards are of very little use as a rule in seeing that the roads are properly repaired in the district, and the tahsildars and officials have to do it with a great deal of other work. I should like to see with regard to the greater number of roads, that is the unmetalled roads, a paid Secretary of the District Board; he would relieve the district staff of a great deal of work, and in addition to doing the clerical work of the District Board he would be able to be a peripatetic officer as well, and to go out and see that the sub-overseer did his work. Districts suffer by not being able to get good and trustworthy sub-overseers; the roads suffer and various other matters, buildings, and so on, suffer at present from inadequate supervision. That is a matter in which I should like to see a change, and I should like to see sufficiently paid Secretaries who would be peripatetic as well as clerical officers and go about and see that the money spent on roads and buildings was properly spent. It is very difficult now to keep proper control, and a good deal of money is wasted.

31438. Suppose you want a road made in a particular direction, or you think a road ought to be repaired at a particular time, could you get the District Engineer to do it?—You mean a metalled road, yes; if you see a thing that is wanted, you write for it and it is probably done. I should look upon the work of the District Engineer as more or less special work, and it is right that it should be under a special department. I do not think it should be immediately under the District Board, because the District Board has no expert to advise them; it is much better that the officer should be under his own expert superior.

31439. Has each municipality two Vice-Chairmen, or is that only an exceptional arrangement?—They do not all have two Vice-Chairmen; I am not clearly certain about the remarks I made about that at the commencement, as I have not been very long in the district. My Joint-Magistrate always goes to the meetings and acts as Vice-Chairman of each, and there is always another Vice-Chairman as well.

31440. If there is a second Vice-Chairman, it is the Joint-Magistrate, who is, so to speak, *ex officio* Vice-Chairman in a number of municipalities?—In my district, yes.

31441. Would not the actual work be done by the local Vice-Chairman?—It ought to be done by them if things were properly run, but that is not the case; they do it with the Secretary.

31442. The Secretary is a non-official?—He is a paid Secretary. In small municipalities he is paid Rs. 75 to Rs. 100, with Rs. 15 horse allowance—anything from, say, Rs. 50 in small municipalities to Rs. 150, and then when you get to big municipalities, such as Saharanpur, Rs. 200; they are men of the naib tahsildar class and very good men they are.

31443. (*Sir Steyning Edgerley.*) Are the tahsildars or naib-tahsildars lent to the municipality?—No, they are paid by the municipality; they have a provident fund.

31444. Would it be a good principle to work upon that the actual public responsibility for action should rest on the person with whom the virtual power of decision rests?—Yes.

31445. Would you also accept the principle that for the convenience of the people all powers should be put as low down in the scale of the official hierarchy as is possible consistently with safety?—Yes.

31446. Can anybody above the Commissioner really know much about any individual case of remissions?—No.

31447. Has not each individual cultivator to be dealt with, and is the remission possibly not more than Rs. 500 or Rs. 1,000 at the outside?—In the case of a landlord of a single village, it might run up into four figures, or it might be so many rupees.

31448. It would be a very exceptional case that went over Rs. 500 or Rs. 1,000?—Very, it would not go up as a rule to that taking the village as a unit; it would be a few hundreds rather than thousands.

31449. And in a number of those cases nobody above the Commissioner would know much about it?—No; the Commissioner would not know much about it unless he happened to be in the district.

31450. Applying the principles which I put to you just now, the highest authority who ought to remit should be the Commissioners?—I think so.

31451. Would you be prepared to accept the view that Collectors should suspend revenue and Commissioners should remit?—Yes, subject to the control of the Board of Revenue.

31452. You think that both the European and the provincial staff under the Collector is inadequate: would you say that the European staff is seriously inadequate?—I do not think there are enough.

31453. Should it be substantially increased?—It ought to be increased.

31454. You suggest that in certain cases you ought to have a Joint-Magistrate with a local allowance in

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order to secure seniority and continuity of tenure; what sort of local allowance would that be?—I mentioned that specially in connection with one place, Allahabad.

31455. Might it possibly extend to cases for instance like Jubbulpore or Cawnpore? What sort of local allowance did you contemplate?—A sufficient local allowance to keep a senior man without his having a grievance on account of not being taken away for any acting Collectorship elsewhere.

31456. Then it would be not a fixed allowance, but an allowance which would give him the same pay as his immediate junior in the ordinary line?—Something of that sort. I think at the places where this Joint-Magistrate is wanted the pay for the Joint-Magistrate of this place should be fixed, and should be so fixed that a man of sufficient seniority would say "I am content to take this amount and stay here for so many years."

31457. What amount ought that to be?—At places of that sort his pay ought to be about Rs. 1,600 or Rs. 1,700, because you want men fit to be of the stage of junior Collectors, about ten or twelve years' service.

31458. What is the pay of an Acting Collector in these provinces?—It is Rs. 1,600 up to Rs. 2,000 or something of that sort, depending on grade.

31459. Rupees 1,600 is practically the pay of an Acting Collector?—Yes I put it at about Rs. 1,600.

31460. Then it would be rather a more expensive arrangement than what I have suggested to you?—I am not sure that it would be; it depends whether senior or junior Collectors were put in; if this junior were getting Rs. 1,800 or Rs. 2,000, as is quite possible, it would be less expensive.

31461. Do your cantonments give a certain amount of work to the District Officers?—Not a very great deal; it is an appreciable amount where there are large cantonments.

31462. Have you anything like the same powers with regard to a cantonment that you have with regard to the municipality?—No, there is a cantonment Committee, and on that committee there is a representative of the Magistrate for dealing with matters which affect both the cantonment and the district administration.

31463. Could not the District Magistrate and the Officer Commanding the Cantonment practically run the Cantonment very much as you run the municipality?—That is done now by the Cantonment Committee.

31464. Has not a great deal to go up to the Military Department?—That does not affect the Magistrate at all; the Magistrate is Magistrate of the whole district, including the cantonment, but he is not troubled with cantonment administration.

31465. Is not the local self-government policy, the policy laid down by Lord Ripon and followed afterwards, that the object is not merely efficiency, but rather to do the work as well as you can through the people?—Yes.

31466. Does not your evidence rather omit that qualification?—I am speaking of it from my point of view of efficiency.

31467. But that is only half the policy of the Government of India?—I believe that is so.

31468. So that really the evidence you have given us takes no account of the other half of the Government of India policy, which is to train the people and help them to manage their own affairs?—I think it was carried too far prematurely; these small municipalities cannot do it; the big municipalities cannot do it if you remove the official control.

31469. Is it not part of an officer's work to take the trouble to teach the people?—Quite so.

31470. And not to say they cannot do it, but to say, "We must accept failure after failure in order to teach them"; that is part of the policy?—Quite so.

31471. At present is the United Provinces administration altogether doing that?—I think it is; I am not prepared to say it is not doing it consistently with efficiency.

31472. But at the beginning must you not rather sacrifice efficiency in order to bring out the other side of the policy?—Up to a certain point, but not too far.

31473. Looking back over your service, do you consider that the people in these provinces are much more advanced in local self-government than they were ten years ago?—Yes, I think so. There has been a great deal of progress in what has been done in places.

31474. That is official work?—Yes, official initiation and execution.

31475. I was referring rather to progress amongst non-officials, instructing and educating them to manage their own affairs; has there been much progress in that way in the last ten years?—There has been some distinctly.

31476. As much as there might have been?—There has been quite as much as there might have been, I think; if there had been more attempted there would have been more failure.

31477. (*Chairman.*) Is it part of the official business of a Collector to lay himself out for intercourse with the natives of the country?—Yes; it is part of his business to meet them whenever he can and whenever he has the opportunity.

31478. If he puts the efficiency of running his district on a very much higher plane than he does the duty of having intercourse with the people of his district, is he not neglecting one of the essential sides of his business?—No, because the two things go together. It is necessary for the efficiency of his district that he should come into contact with the lower classes when he is on tour and with the higher classes either when he is on tour or when he is at headquarters; if he discourages visitors he will be tending towards inefficiency; he will get less knowledge of things that go on than if he received the people who come to see him. So also if he shuts himself up in his tent when he is in camp he will not be in contact with the people; he has not time now to sit under a tree all day and see visitors; he can only give a certain amount of time in the mornings or in hard-worked districts on certain days in the week for certain visitors to come and see him; he has not time at all times of the day to see whoever comes and enter into long conversations.

31479. Is it more important that the officer should have intercourse with all classes of the community very frequently; or is it more essential that dispensaries should be in first class order and roads exactly level, and accounts exactly accurate and rendered at the right moment?—The proper system is a combination of the two. I am not prepared to say the exact percentage in which they should be relatively estimated.

31480. When you say that a man has little time for intercourse with the natives of the country, what do you mean by that?—He can only do it in the way of business.

31481. The intercourse must be limited?—By the time he is able to give to this work.

31482. The intercourse must be limited to questions of business?—That and a little more; he cannot give too much time to matters outside business. He has not the time to give at present; he can give a certain amount of time, but if he had more time at his disposal he would usefully do more in this way.

(*The witness withdrew.*)

Adjourned.

FIFTIETH DAY.

AGRA, *Tuesday, February 18th*, 1908.

PRESENT :

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*

Sir FREDERIC LELY, K.C.I.E., C.S.I.
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.
R. C. DUTT, Esq., C.I.E.
W. S. MEYER, Esq., C.I.E., I.C.S.
W. L. HICHENS, Esq.

The Hon. RAI NIHAL CHAND BAHADUR was called and examined.

The Hon. Rai Nihal Chand Bahadur.

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31483. (*Chairman.*) Have you been a member of a municipality or of a District Council?—Yes. I have been a member of a Municipal Board as well as a member of the District Board. Local self-government started in my time and I remember all its history from the very beginning ; I have been a member and Secretary and Vice-Chairman of the Municipal Board for a long time.

31484. You are a member of the Legislative Council of the United Provinces?—Yes. I have been a member for the last seven years.

Larger financial powers should be given to the Government of the United Provinces and the financial contract between the Government of India and the provincial Government should be settled once for all, that is, the contract should not be revised periodically. The United Provinces should be treated by the Government of India as liberally as other provinces are, and sufficient money should be left in their hands for expenditure within the province. These provinces are not allowed to spend a fair share of their income within the province, the result being that in education, sanitation, and other branches of administration they are much behind other provinces.

The Local Government should have borrowing powers subject to the following conditions :—(1) The loan should be sanctioned by the Government of India ; (2) if borrowed for remunerative works, such as the construction of canals, &c., its profits, after paying off the working expenses and interest, should be devoted to the payment of the capital of the loan and should not be considered as a part of the general revenues and spent as such ; (3) if borrowed for general expenditure, a term for its repayment should be fixed and the Local Government should be bound to pay off the debt within that period. At present the Government of India seems to be a borrowing agency which never thinks of repaying the loans, with the result that the burden of debt has been increasing on by leaps and bounds since the Government was taken in the direct management of the Crown. From an economical point of view, the safe course would have been to clear off the debt from the proceeds of the concern before they were utilised for other purposes, but the Government have not done so and it has reached the verge of bankruptcy. I would illustrate this by an example. The canal irrigation works were constructed long ago in these provinces, the capital outlay on which is about nine crores of rupees, for which interest at the rate of Rs. 3-8-0 per cent. per annum is paid from the proceeds of canals. The concern is profitable and after meeting the interest charges and working expenses, a considerable amount of net profit is saved which is spent for other than canal purposes, but nothing has been paid off the principal debt. It is noteworthy that only a limited portion of the profit was spent in the province to meet the general expenditure, but a considerable part of it was taken away by the Government of India.

The influence of the departments of the Government of India is in the direction of excessive rigidity and uniformity, and it sometimes leads to undesirable consequencies. From the beginning of the British Government the landlords in the United Provinces of Agra and Oudh acquired right of *sir* in the lands cultivated by them, and at the time of revision of land revenue, a rebate from 5 to 25 per cent. on the assets was allowed. In 1901 the Land Revenue Act of the United Provinces was revised, and it was proposed by the Government that the accrual of this right of *sir* should be abolished. When the Bill was under consideration of the Legislative Council, the Indian members opposed the measure and the Honourable Mr. Conlan, Barrister-at-Law, also supported the Indian members. But Sir Antony MacDonnell, Lieutenant-Governor, explained that the proposal originated from the Government of India, who preferred to make the law on the subject in conformity with the neighbouring provinces. The Revenue Officers of these provinces also felt it hard to deprive the people of a privilege which they had enjoyed since long. Another instance is that the canal water rates on sugarcane and wheat were Rs. 5 and Rs. 2-4 per acre, respectively, in 1890 and were subsequently raised ; the former from Rs. 5 to Rs. 6-10-8 and the latter from Rs. 2-4 to Rs. 3. The Government of India desired the Local Government to enhance the rates still further to the level of those prevalent in the Punjab, viz., the rate on sugarcane to Rs. 10 per acre. The Zamindar Association of Muzaffarnagar submitted a memorial to the Local Government praying that the rates enhanced in 1891 should be reduced to those of 1890. The Local Government replied that the rates were enhanced after a long correspondence with the Government of India, but the reasons of enhancement were not mentioned and the taxpayers were left in the dark about them as they had been. However, the proposal of further increase in the rates was dropped at the time. In a meeting of the Provincial Legislative Council held in April 1905 the Honourable Mr. Marsh, Chief Engineer of the Canal Department, announced that the water rate on sugarcane would be enhanced from Rs. 6-10-8 to Rs. 10 per acre in the districts of Saharanpur, Muzaffarnagar, and Meerut, and the rate on wheat crop from Rs. 3 to Rs. 4 throughout the province. This meant an additional tax of about Rs. 12,00,000 a year on the cultivators. I believe that this enhancement was due to the pressure from the Government of India, who took the ideas in their head from the Punjab and that almost all the Revenue Officers from the Collectors to the members of the Board of Revenue were ignorant of the reasons that justified this heavy enhancement,

It is desirable to allow provincial Governments to develop their administrations on their own lines, adopting or not, at their discretion, suggestions of reform brought to their notice from other provinces, the condition of one province of India being in some respect quite different from that of another and every province having a very large population.

It is desirable to give Collectors extended powers regarding matters relating to revenue, matters of general administration, and matters regarding the Court of Wards. At present the hands of the Collectors are very much tied up. To give an example, the copying work in the Collector's office in the district of Muzaffarnagar is so heavy that the establishment cannot properly cope with it. The Collector reported for increase in establishment, but it was not allowed, although there was a sufficient margin of profit.

The influence of the provincial Government is in the direction of excessive rigidity or uniformity. For example the Municipal Boards and the District Boards are much interfered with, which is not desirable.

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Formerly the views of the Collectors were much respected by the Local Government, but now it is not so, for which the Collectors do not take as active a part in the improvement of their districts as they used to do. They complain that they are too much interfered with by the Secretaries of the Government, many of whom are junior to them in the Service.

The influence of the Commissioner in matters appertaining to departments other than the Land Revenue Department is not sufficiently strong, and adequate weight is not given to his views. The Departments of Police and Education may be mentioned as instances.

Executive Officers have sufficient opportunities for personal contact with the people, but it remains with them to avail of them or not. With few exceptions it is generally supposed that it is below official dignity to meet friendly and freely with the people. The Indian Officers are in the same category. One of the obstacles in the way is the frequent transfer of the officers.

Executive officers possess sufficient knowledge of the vernaculars.

An increase in the administrative staff is urgently required because the work in every department has increased enormously. It is too heavy to be done efficiently, and the officers, specially the Indians, are so much overburdened that their health breaks down lamentably.

The grant of larger powers to Commissioners, Collectors, and other local authorities will certainly involve greater care in their selection, less regard being had to seniority; otherwise the extended powers may be abused by which the Government and the people may suffer a heavy loss. In all cases the Collectors and Commissioners should be men of intellect, long-standing, and mature experience.

The transfers of officers are frequent nowadays and I am very keen on this point. In old days the District Officers made their stations their homes and used to take a substantial interest in the welfare and improvement of the district. But nowadays they go to a district for a short time as birds of passage. They know that their stay is temporary and therefore do not settle comfortably nor take the trouble to undertake such works of public utility as require a long time and trouble to mature them. As soon as an officer begins to make acquaintance with the people of the district and get an insight into the affairs of the district, he is transferred. An officer should stay in a district for at least five years unless any particular event occurs that may necessitate his transfer. At present the convenience of officers is regarded more than the district work.

As to the Municipal Boards (1) their powers should be extended.

(2) The non-official Chairman should be preferred to the official as it helps in the free discussion and independent expression of opinion.

(3) It should be clearly defined what works will be entrusted to the Boards without interference from the Government and what will require the sanction of the Local Government.

(4) In case there is any difference of opinion between the Local Government and the Board, the matter should be referred to the Government of India. In the time of Sir Auckland Colvin some municipalities in the United Provinces were very strongly opposed to the introduction of water-works in them, such as Cawnpore and Meerut, but His Honour was so keen about it that he took no heed of their protest and compelled them to comply with the Government order. The result was that many of them are not in good financial condition. Many other similar cases may be cited.

(5) As a rule the proceedings of the meeting which are presided over by the Magistrate are recorded in English and are neither translated nor circulated to the members for their information. This is the fate of some other important papers also. I beg therefore to suggest that all the proceedings of the Municipal Boards should be carried on through the court language of the province.

(6) The Secretary of the Municipal Board, whether honorary or paid, should always be an Indian with the exception of any such municipality as has a considerable portion of European population, such as Mussooree and Naini Tal.

The District Boards stand on a different footing from the Municipal Boards. The members of the latter live in one town and can easily consult each other and can assemble together as often as required. But in the case of the former, they live in different localities and cannot easily meet together and interchange their thoughts. Besides this the work of the Municipal Boards can be administered without active help from the District Officer, but the work of the District Boards requires more co-operation of the district authorities and subordinate officers. Therefore under the present circumstances the Magistrate of the district should be appointed Chairman of the District Board; similarly the Judicial Officers of the district, viz., the District Judge and the Subordinate Judge, should be *ex officio* members of the District Boards. There is no reason why the Civil Court Officers should not interest themselves in the public affairs and devote a part of their time to the welfare of those whose business they have to administer. If they do so, they may be more popular and may have a better chance of knowing the character of those whose disputes they have to decide. Civil Officers of the old time used to take a keen interest in public affairs and render useful services. There are many reasons for this suggestion which will not fail to produce good results.

At present every District Board has an official (Deputy Collector) as its Secretary. These gentlemen try their best to perform the duties of a Secretary, but they are already overburdened with their own official work and the works of District Boards are so multifarious that they cannot devote sufficient time to attend to them. Therefore the District Board should have a paid Secretary. The experience of the Municipal Boards has proved that a paid Secretary is more useful.

The duties and responsibilities of the District Boards have been extended on a very large scale, but the funds at their disposal are so limited that they cannot discharge their duties adequately. Therefore some extra resources of income should be placed at their disposal. I would suggest that (*a*) the income of excise should go to them, (*b*) the Government should contribute not less than an equivalent of what is collected from the landlords on account of the local cesses, (*c*) the expenditure on police and village chaukidars should be met by the provincial funds, because the safety of property and life is the first duty of the Government, (*d*) the business of the Board should be conducted in the court language.

I am in favour of the creation of an Advisory Council to assist the Commissioner. It should be composed of (*a*) members of the Provincial Advisory and Legislative Councils, (*b*) Honorary Magistrates of the division, (*c*) representatives of the District Boards, (*d*) representatives of the Municipal Boards, and (*e*) gentlemen standing on the darbar list.

I am not in favour of investing the District Boards with powers of supervision and control over the smaller municipalities because it will interfere with the responsibilities and liberties of these Municipal Boards, which is not advisable, and because the District Boards and the Municipal Boards stand on a different footing.

In old days the village communities or the panchayats, as they were called, were very useful to the Government and the people. Their functions extended over social, religious, and political matters, but since the advent of the British rule in India their powers have been decreased, and as a matter of fact they are extinct. At present the panchayats of low castes have still a force by which their members are saved from the evils of litigation and each member assists the other. This is the case in villages, but in towns and in the upper class of people these panchayats have lost much of their influence. If the old village communities can be revived they will be of immense service to the people.

31485. You tell us that a financial contract once made between the Government of India and the provincial Government should never be revised; at each revision which has taken place lately has not the provincial Government secured better terms than it had previously?—Yes. I think it has secured better terms, but not sufficient money was granted; it was only halfway that they met; they increased the amount to some extent, but they never gave sufficient money; this is the complaint which has been brought to the notice of the Government of India from time to time by many Lieutenant-Governors.

31486. You say that the Local Government should have borrowing powers, but that the loans to be raised should be sanctioned by the Government of India; should the Government of India undertake to sanction loans which another Government raised?—As a measure of precaution I put it that they must be sanctioned by the Government of India.

31487. But if the Government of India are to sanction the loans, must they not be responsible for the raising of the loans?—They may be; there is no harm in that, because in that case the rate of interest may still be lower. I mean that the responsibility of repaying the loan must rest on the Local Government.

31488. You think that it is desirable to give Collectors extended powers in relation to the Court of Wards. Do you wish to free the Commissioner or to make the Commissioner the final authority in all Court of Wards matters?—In some small matters the Commissioner may be the final authority, but in some very important matters, like the sale of property, I should say either the Board of Revenue or the Government must sanction it. In small matters the Collector must have more power and even the Commissioner, but in some very important matters there must be sanction of the Board of Revenue or the Government.

31489. Speaking generally, you would be quite satisfied to see the Collector doing practically the whole of the Court of Wards work?—Yes.

31490. You say that the Collectors do not take so active a part in their districts as they used to; is there any particular direction in which they fail to be as active as formerly?—Formerly they always thought that they must try to remove the difficulties and drawbacks of the people and improve their position; for instance, they used to have a good many markets and gardens and roads built and on all these improvements they took great trouble; nowadays they are satisfied with their official routine work. The reason, of course, is that they live but for a very short time in the district; formerly when an officer first came to a district the first thing he did was to make a house and garden agreeable to his taste and then he made his home, but now he goes there like a bird of passage, just as in a dak bungalow.

31491. You do not allege that the roads or the bridges or the sanitation or the education is less carefully looked after than it was, but that the Collector does not take so great an interest in the administration?—Yes.

31492. And you wish to see him take a greater part?—Yes.

31493. How long do you think a District Officer ought to stay in his district?—At least five years.

31494. And longer than that?—Five or six years will do, as after a long time a man loses his energy.

31495. You say that a non-official Chairman of the municipality is preferable; what was your municipality?—Muzaffarnagar. For some time the Deputy Magistrate was Chairman and the work was satisfactorily done. I should prefer that a non-official should be appointed. At Fyzabad there is a non-official Chairman, but that is the only such place I know of. In Bombay and other Presidencies they have non-official Chairmen.

31496. What is the population of your town?—About 20,000.

31497. Can you find in Muzaffarnagar a gentleman, or two or three gentlemen, one succeeding the other, who would have the energy and ability to conduct the affairs of the municipality?—In Muzaffarnagar itself but very few men could be found; it is very backward in education, but there are other municipalities, like Meerut and other places, where gentlemen of education can be had for the purpose.

31498. Are you a *talukdar*?—Yes, I am a landlord and have been Honorary Magistrate for a long time also.

31499. In Muzaffarnagar and towns of that size you do not think there would be gentlemen found who would occupy satisfactorily the position of Chairman?—In the town of Muzaffarnagar there are some gentlemen to be found, but there are two or three other municipalities in which I do not think you could find anyone.

31500. Therefore in any suggestions which you make as to the substitution of a non-official Chairman you would have to select the municipality?—Yes.

31501. You could only make an experiment; you could not apply it generally all over the province?—No.

31502. You think that there it is essential that the District Officer should remain as Chairman of the District Board?—Yes.

31503. You would not be able to find a non-official gentleman to fill the position satisfactorily?—No; besides, some influence is required in the work of a district; there is this difference, that in the municipalities there are members living close together and they can interchange ideas very easily, whereas in the districts one lives in one place and another in another, and they have not that facility of interchanging thoughts. If the Collector is the Chairman of the District Board the tahsildars will help in the matter; if he is not, it may be that there will be some hindrance in the performance of duties by tahsildars and other officers.

31504. Do you think that a non-official Chairman would have sufficient influence to control the District Engineer, for instance?—I doubt it very much.

31505. Is it desirable that either municipalities or District Boards should have larger functions than they have now?—In some respects they must. For example, at present the municipalities have to send their budgets to the Government, and unless they are sanctioned by the Government they cannot do anything. So in the case of the District Boards; in this matter they must have more power. In Muzaffarnagar they have got a house-tax; for the last five years the Municipal Board have been trying to get rid of the house-tax which was originally put forward for a particular thing, namely, the drainage scheme. The drainage project has been finished and the money which was borrowed from the Government for that purpose has been paid off, but still the Government does not allow the municipality to abolish the house-tax.

31506. On what do the municipality now spend the money arising from the house-tax?—It is accumulated only.

31507. What is it now spent upon?—It will be spent on other things, but up to this time it has not been spent on any other thing than in clearing off the debt.

31508. (*Sir Frederic Lely.*) When was the debt paid off?—Only last year.

31509. You think that the influence of the Commissioner in matters of police is not sufficiently strong; can you give any reasons why you think the Commissioner should have more power?—Up to this time they have no interest in police matters; I should like the Commissioner, as he takes great interest in other branches of administration, to take interest in this branch also.

31510. If the Commissioner had time, and there was no other objection, would you substitute him for the Inspector-General altogether?—He may not have sufficient time to do all the work of the Inspector-General; the Commissioner has a great many other things to do also; I would keep him as he is, but the Commissioner also should hava some interest in the matter, and must have opportunities of correspondence with the Inspector-General.

31511. Is not the administration of the police considered by the people of very great importance?—It is of the very greatest importance; the whole welfare of the people depends on the police, and when the police officers are corrupt or do not perform their duty properly, then every respectable man is always in danger, especially in these days. There is much reliance on the general police and the detective police; sometimes the Magistrate and the officer are misled by their reports.

31512. Have you any suggestion to make for remedying that?—My suggestion is that Advisory Councils should be established in every district, so that the Magistrate may have more reliable information. The great difficulty at present is that these police reports are not made public, and so whatever a police officer likes to write is kept confidential.

31513. You think that an Advisory Council would be usefnl in informing the Head of a district of the facts at any time and the opinion of the people?—

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Yes; this Advisory Council would be able also to tell the Collector which of the police officers is going wrong.

31514. You mention with reference to municipalities that in the towns of Cawnpore and Meerut water-works were introduced at the instance of the Local Government; do you mean to imply that if it had not been for Government control and Government influence those towns would to this day have been without water-works?—The well water of those places was very good; it was so pure that it did not require any improvement, and therefore there was objection to the introduction of the water-works. Actually since then neither the sanitary condition of those towns has improved nor the mortality decreased.

31515. Then the exercise of Government influence was not, on the whole, to the advantage of the people?—That is so.

31516. (*Mr. Dutt.*) You are aware that there has been a *quâsi*-permanent settlement now between the Government of India and the provincial Governments, and the conditions are that excepting for very unforeseen or extraordinary reasons this settlement is expected to last; do you generally approve of that?—Yes, but although the contract was made it did not give sufficient money, and the consequence was that the Local Government had to ask for doles and they gave some small amount as a matter of grace, not as a matter of right. For instance, we get only one-fourth of the land revenue, and three-fourths go to the Government of India, while in other provinces—Madras, Bombay, and others—some of them take one-half and others take three-quarters; there is no reason why we should get only one-fourth.

31517. Is it your idea that in every case the Local Government should provide for the repayment of the loans they take within a specified number of years?—Yes.

31518. You do not propose that the loans should go on accumulating?—No.

31519. That is your idea also with regard to all irrigation loans, that they should be repaid from the profits of the irrigation works?—Yes.

31520. You say that in case there is difference of opinion between the Local Government and the District Boards, the matter should be referred to the Government of India; will you explain exactly what you mean?—I have given this example of water works.

31521. That is to say, when the Local Government desires some work to be done and the District Boards think that the work ought not to be done, the question ought to be referred to the Government of India?—Yes.

31522. Has your district of Muzaffarnagar got any sub-divisions?—No sub-divisions, but we have four *tahsils*.

31523. Are there Sub-Divisional Officers there?—Yes; sometimes one Sub-Divisional Officer has charge of two *tahsils* and sometimes of one.

31524. Do the Sub-Divisional Officers live in the *tahsils* or do they live at headquarters?—At headquarters.

31525. Is it desirable that Sub-Divisional Officers should live at the headquarters of their own sub-divisions?—It would be better, but at present there is no accommodation for the officers to live in the *tahsils*; if arrangements are made for their accommodation they might be required to go there. Even sometimes proper accommodation is not provided for the Deputy Collectors—they have no bath-rooms, no retiring-rooms; we have drawn the attention of Government to this several times.

31526. What is the usual term of the tour which a Sub-Divisional Officer has to make?—Every officer has to do sixty days, or something like that.

31527. You say that the District Boards ought to be relieved of certain expenditure on police and chaukidars; does that take away a large amount of the income of the District Board?—It takes a great proportion.

31528. What is the state of primary education in your district?—Primary education requires very large improvement. The teachers are not well paid; my idea is that these teachers must always be well educated; even if they do not teach English, still they must be thoroughly educated to teach the boys in the vernacular. Nowadays it is no use sending men who are not well educated.

31529. Is the number of primary schools sufficient for the education of the masses?—I think so; the District Board is always ready to start any school when required.

31530. Has the District Board sufficient resources for starting new schools to the extent that may be considered necessary?—I think it has.

31531. Is there a continuity of policy in this province under the different Lieutenant-Governors succeeding one after another?—Each Lieutenant-Governor has his own views.

31532. Would there be greater continuity of policy if the Lieutenant-Governor was assisted by two colleagues—two or more members of an Executive Council?—My idea is that there should be an Executive Committee consisting of four members.

31533. If an Executive Council was established would there still be the necessity of a Board of Revenue in this province?—No, it might be abolished. Part of their duties might be delegated to the Commissioners and part might be performed by the members of the Executive Committee; it might be divided.

31534. A great deal of the work which is now done by the Board of Revenue might be delegated to the Executive Council and some done by the Commissioners?—Yes. So far as I know, it is not in close touch with the Government; for example, it is only a few years ago that a Bill for land alienation in Bundelkhand was before the Council; I was a member of the Council at that time.

31535. Do you think it is desirable to form an Advisory Council in divisions also?—Yes, because the Commissioner will be then assisted by the Council. A Council is equally necessary for him as for the Collector.

31536. Do you think it is possible at present by the help of any special officer, or by any other means, to try to revive village communities and entrust panchayats with village concerns?—Yes, it is possible and desirable.

31537. (*Mr. Hichens.*) Do the public take a keener interest in public affairs now than they used to in the earlier days?—They do.

31538. Do they now know more of what is going on than they used to?—Yes.

31539. Is the public interest greater in the towns than it is in the country districts?—In the towns it is greater, but still in the *mufassal* it is spreading.

31540. You have election by wards for the Municipal Board?—Yes.

31541. Do the electors know much of what the municipality is doing and form strong opinions as to what ought to be done?—Not all of them, some of them do; they are getting educated and trained in that way.

31542. Practically speaking, if your proposals were carried out the income of the District Boards would be more than doubled; do they require all that money?—Yes, the income from excise should be given to them; the excise income in the towns should go to the Municipal Boards, and the excise income in the districts should go to the District Boards.

31543. Should the Government make a specific contribution to municipalities as well as to District Boards?—For certain purposes—for instance, for the water-works I mentioned; that was forced upon them by the Government and they fell into debt, and the Government has given some assistance in that direction; beyond that the Government should not give money to the municipalities.

31544. They do not require an annual grant from the Government?—No, generally speaking, the towns are well off, and they can afford to meet their own expenditure.

31545. You say that the language of the municipality, and presumably of the District Board also, should be the court language of the province?—Yes, at present the proceedings are in English, and there are

very few papers that are translated and circulated among the members of the Board, and the result is that those gentleman who do not know English are not perfectly aware of what is going on.

31546. In practice are a number of the members not acquainted with English?—Many of them are not.

31547. Are the speeches translated?—The speeches are generally made in the vernacular.

31548. Does the Chairman speak in the vernacular?—Yes, he speaks in one of the vernaculars, but he writes in English and the documents are not translated and circulated; of course the Chairman acts perfectly honestly, but actually the Boards do not know what he is writing.

31549. The *tahsil* Boards having been abolished, does the District Board appoint committees to represent each *tahsil*?—They very seldom take advantage of this provision.

31550. Would it be a good thing if they had committees?—Yes.

31551. Would that be better than the old system of *tahsil* Boards?—Yes.

31552. (*Mr. Meyer.*) Is there any publication of the records of the proceedings of your District Boards and municipalities?—No.

31553. In Madras they have District Gazettes in which the proceedings of the municipalities and Local Boards in the district are published every month in English and in the vernacular; would that be a good thing generally?—It would be a very good thing and very desirable.

31554. Do your municipalities have non-official Vice-Chairmen as a rule?—Yes, generally.

31555. Do they do much work?—Yes.

31556. A witness told us yesterday that the Joint-Magistrate was very often Vice-Chairman of the municipality?—It may be, but in my district a non-official for a long time has been Vice-Chairman.

31557. You only speak for your own district?—Sometimes they appoint one of their own officers Vice-Chairman.

31558. But speaking for the province generally, do the municipalities usually have official, or an unofficial Vice-Chairmen?—I think in most cases the Vice-Chairmen are officials.

31559. In the District Boards do you ever get non-official Vice-Chairmen?—In very few cases; that is also in the minority.

31560. We were told that it was in contemplation to take away the management of the schools from the municipality and vest it in the District Board; would you approve of that?—The management of the municipal schools should be left to the Municipal Boards; it is not desirable to transfer it to the District Boards.

31561. Take Muzaffarnagar, do you keep up many schools there?—Yes.

31562. What staff have you got to inspect them?—It is inspected by the District Board's inspector; there is no separate staff with the exception that the Secretary sometimes goes and sees it.

31563. Might not the big municipalities like Lucknow and Allahabad keep up their own staff?—In those places it is required, because there are a good many schools and educational institutions and special officers might be appointed, but in small towns it is not required.

31564. You say that when the Local Government differs from a Municipal Board the matter should go up to the Government of India. Is that quite consistent with what you say in another place that the Local Government should develop its own administration on its own lines. How can it develop its administration on its own lines if there is an appeal to the Government of India whenever it differs from a subordinate authority?—If there is a great difference between the opinion of the Local Government and that of the Municipal Commissioners, how can it be decided? The only way is for the Government of India to intervene and say whether the Municipal Commissioners are right or the Government.

31565. You do not recognise that the Local Government should have the last word in matters affecting the towns in its province?—I think not in such cases.

31566. In the case of a District Board, would you apply the same principle?—Yes, but in those cases my reason for not saying so was that when the District Magistrate is Chairman it very seldom will occur that the District Board will oppose the Government views.

31567. But he is usually Chairman of the municipality also?—Yes, still in the towns they can join together and oppose a measure more freely than in the District Boards.

31568. As regards the District Boards, were you on the District Board Committees that preceded District Boards?—Yes.

31569. Were they not really a sort of Advisory Council?—In those days there were separate committees, one for schools, one for sanitation, and so on, and they were actually very weak; they were only nominal committees; they were only to carry out the wishes of the Collector; the matters were not very properly and very freely discussed.

31570. You had a separate committee for roads, for instance?—Yes.

31571. And for schools?—Schools and dispensaries.

31572. Have the present District Boards much more to say than the old committees had?—Yes, they are much better organised now.

31573. We have been told that the Board really does whatever the Collector wants it to do; is that your opinion?—It is so.

31574. On your Board, does nobody put forward an opinion contrary to that of the Collector?—It depends on the taste of the Collector; some Collectors like free discussion and in those cases the people are allowed to have free discussion, but there are some others who want only "*johukam.*"

31575. You want the excise revenue made over to these local bodies; do you know any other country in which that is done?—If I am not misinformed, in England the excise revenue does not go to the Imperial Exchequer. My reason for this suggestion was that actually the excise revenue is not intended to be a source of revenue; it is intended to prevent an evil and for that reason much of the money that is coming in is not an actual source of revenue. It may be left to the District and Municipal Boards, and in that case only the Local Government and the Imperial Government will devise means to check the evil and to decrease the revenue.

31576. But the District Boards, on the other hand might desire to increase that income in order to get more money?—They will be under the control of the Government and the Imperial Government; the rules will be issued by them.

31577. You consider that the Government of India have been borrowing very recklessly?—Yes, it has never paid a shilling since it has been borrowing; it is always considered to be a borrowing agency.

31578. Do you know that most of the debt has now devolved to productive Public Works?—That is so, but the income from these productive Public Works is not devoted to the repayment of the debt; what I would urge is that first of all the income derived from these works should go to clearing off the debt itself and after the debt is cleared then the income might be devoted to other purposes.

31579. Do you know that the profits from our productive works which we have constructed out of borrowed money pay for all the interest on our debt and leave a profit besides?—That is so. The chief thing I had in mind was irrigation from such like works; it gives a large profit but still the debt stands as it was in the beginning.

31580. (*Sir Steyning Edgerley.*) If a municipality such as Cawnpore or Meerut seriously disagreed with the view of the Local Government and thought it worth while they could always memorialise the Government of India?—I think so.

31581. Therefore if the matter seems to them of sufficient importance they already obtain an adjudication by the Government of India on the matter of difference with the Local Government?—But in case of the water-works the Government of India did not intervene.

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31582. Did the municipality approach the Government of India?—That I do not know.

31583. You say that work is too heavy to be done efficiently and that officers, especially the Indian Officers, are so much overburdened that their health breaks down. Is the strain so great as to injure the health of the officers?—Yes, I am quite certain about it. The Deputy Collectors and Munsifs in particular are of that kind, and it is admitted even by the Local Government that Deputy Collectors have been overworked for a very long time.

31584. Do you think the strain on the European staff is also too heavy?—Yes, but as the major portion of the work falls upon the Indian Officers, they suffer more, because they have to finish the work whether their health suffers or not.

31585. Would you say that there has been great progress in local self-government within the period of your public life?—Yes, a great deal of progress has been made.

31586. As much as you could reasonably expect having regard to education in the provinces?—I think it is making progress. I should like to add that in cases of emergency the Local Government should have power to create new appointments or posts as a temporary measure. For instance the court work and the health of the Deputy Collectors suffered badly for two or three years before the sanction of the Government of India and the Secretary of State was obtained to increasing the number.

(*The witness withdrew.*)

KHAN BAHADUR MUHAMMAD MUZAMMIL-ULLAH KHAN was called and examined.

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31587. (*Chairman.*) You are a zamindar?—Yes. I have estates in the districts of Aligarh and Etah, with a rental of some Rs. 40,000. I am *Rais* of Bhikanpur and a *Darbari*, am a life Honorary Magistrate with second class powers; a Municipal Commissioner; member of the District Board; Honorary Joint-Secretary of the Muhammadan Anglo-Oriental College at Aligarh; and proprietor of the cotton factory at Charra. I have taken part in all public matters connected with the United Provinces and the Muhammadan community. I am a member of the All India Muhammadan Educational Conference and of the All India Muslim league.

Collectors and Deputy Commissioners should be empowered to suspend revenue for one term of instalment without obtaining sanction of higher authority.

All the *pargana* officers should be authorised to exercise the full powers of a Sub-Divisional Officer in their respective *parganas*, as is the case in the Karwi, Mahoba, and Kasia sub-divisions.

The Board of Revenue should be empowered to appoint a fixed number of tahsildars every year, and to suspend and degrade them.

The Commissioner should be given full powers of (1) appointing, dismissing, promoting, degrading, and suspending naib-tahsildars and of (2) transferring Deputy Collectors, tahsildars, and naib-tahsildars from one place to another in his own division, without sanction from higher authority.

Collectors and Deputy Commissioners should be empowered to appoint, dismiss, promote, degrade, and suspend all men under them drawing a salary of Rs. 50 or less per month, except naib-tahsildars.

Commissioners should be empowered to appoint, dismiss, promote, degrade, and suspend managers of Court of Wards estates, and to sanction the yearly budget of these estates. In case there be a danger of some old, respectable, and well-to-do family being otherwise ruined, the District Officer's recommendation that the estate of such a family be taken under Court of Wards should be invariably accepted, without any consideration of the heavy encumbrances or the small profit of such an estate. In cases like these the Government should undertake to help from its own treasury, on nominal interest and easy terms of payment, or by borrowing money in the open markets of India and Great Britain.

The Heads of the Departments should be empowered to grant leave up to one month to the officers in their own department without the sanction of the Local Government, and the same power should be given to Commissioners and Collectors with regard to the officers under them, provided that they can make satisfactory arrangement of work within their own jurisdiction, according to the existing rules of leave and other allowances. The amount of casual leave may advantageously be increased from ten to fifteen days, taken at a time or altogether in the year.

The right of appeal should on no account be curtailed.

The influence of the Government is, in my opinion, used entirely for the good of the public. I do not perceive excessive rigidity in it, and at present it does not call for any reform whatever.

Individuals, but not the provincial Secretariat as a whole, do sometimes regard matters from a purely departmental standpoint. It is desirable that the Secretariat should freely see and hear people when they come to say something about matters that are under consideration.

The influence of Commissioners is not sufficiently strong; but in respect of whatever powers they have got adequate weight is given to their views.

Great pressure of heavy work does not give Executive Officers sufficient opportunities of personal contact with the people. They should have increased establishments for office and case work. To lighten the work of District and Sub-Divisional Officers, I would suggest that the tahsildars should be empowered to hear and decide cases up to Rs. 250. They may also be authorised to appoint, dismiss, and suspend all the *tahsil* peons; to fine up to Rs. 5 at a time, and to suspend up to one month all the officials under them drawing a salary of Rs. 10 per month or less. They should also be empowered to suspend for ten days and to fine up to Rs. 5 at a time, all the officials under them, except naib-tahsildars, drawing more than Rs. 10 per mensem, subject to the confirmation of the District Officer.

On account of heavy work Englishmen do not get enough time and opportunity to acquire a sufficient knowledge of the vernaculars.

Work in the General Administration Departments has immensely increased and the staff should also be increased. Further, some of the districts are too big and their area should be reduced so as to enable Divisional and District Officers to have more control and to exercise a fuller personal influence over their respective charges. To lighten the judicial work of the local authorities it is desirable that the Government should create Honorary Assistant Collectors and freely grant the powers of Honorary Munsifs to a sufficient number of influential and capable men throughout the whole province.

I do not think that transfers are now too frequent. Officers should not, as a rule, be transferred unless it be really necessary to do so, either in their own interest or that of the people. But I am against making any hard and fast rules.

Similar powers of granting leave, as mentioned above, should be given to District Judges, Superintendents of Police, Civil Surgeons, Executive Engineers of the Canal and the Public Works Departments, and to Heads of other departments.

District and Municipal Boards ought to be authorized to spend Rs. 5,000 at a time of their own accord without any sanction from the Commissioner. These Boards should also be given full powers, with regard to those men who are paid by them, and complete control over those works that are done, and over those buildings that are maintained by their funds. But the election of the Chairman of these Boards should always require the confirmation of the Commissioner. These local bodies should invariably be consulted on all schemes about primary and secondary education, and the income-tax should always be fixed in consultation with the members of the Municipal and District Boards concerned.

I am in favour of the creation of Advisory Councils to assist Divisional and District Officers. For the Divisional Councils each District Board and each Municipal Board should return one of its members for five years, and for the District Councils each *tahsil* and each Municipal Board should return one member for three years only. These bodies should be required

to elect one Hindu and one Muhammadan alternately, and this rule should be put into operation in such a way that the total number of Hindus and Muhammadans in each of these Councils may be practically equal at all times. As to the responsibilities, I do not propose any to be given direct to these Councils for the present. Government officers should remain responsible for everything as at present, but the members of these Councils should always be consulted on all matters of general administration, so far as may be possible. For example, in the appointment of the Honorary Magistrates, Honorary Munsifs, and similar officers, in the management of the fairs and exhibitions, in devising preventive measures against plague, cholera, and other epidemics, in making arrangements for public health generally, and in settling the disputes arising between different religious sects, the members of these Councils should invariably be consulted.

The smaller municipalities may be advantageously put under the control and supervision of the District Boards.

The village communities have not yet so far advanced generally as to make it desirable to give them greater powers in the disposal of local affairs. Such powers, if given at present, would prove more harmful than beneficial to the people as they are.

The administrative charge of a district (*i.e.*, the Collectorship and the Deputy Commissionership) should always be given to a European officer—at least for the present generation—not only for the sake of the public good and on account of the present political situation in the country, but also for the maintenance of the prestige, dignity, and influence of the post itself and the responsibilities carried with it.

31588. Should the tahsildars be borne upon a provincial or upon a divisional list?—I should like them to be on a divisional list; if the Commissioner has power to appoint them, they must be on a divisional list.

31589. But if the Board of Revenue continues to appoint them?—Then they should be on the provincial list.

31590. If the Commissioner appointed them would he be able to find in his district every year suitable persons to make tahsildars?—Certainly.

31591. And would you so arrange the grade of tahsildars that they should be eligible for appointment to Deputy Collectors?—Yes.

31592. You would like to see them come in first of all as naib-tahsildars?—Yes. I think there should be some appointed directly as tahsildars and some appointed from the grade of naib-tahsildars; some would be Deputy Collectors; some must come from tahsildars and some be appointed directly, educated men from colleges, and so on, as is the practice now.

31593. When the Commissioner has been given powers of appointment and dismissal, and so forth, of naib-tahsildars, would you make that power of dismissal final without appeal?—No, certainly not. The powers of appeal should stand as they are.

31594. You do not think that the officer who has the power of appointment should also have the power of final dismissal?—No; the right of appeal should be given to anybody in the Service; otherwise there may harshness.

31595. If the powers of the Commissioner and Collector with regard to the Court of Wards were increased would there be satisfaction?—Certainly.

31596. The landowners would be satisfied?—Yes, as they are now, because the Board is made up of similar officers to the Commissioners, only they have a little more seniority. The Divisional Commissioner has the same ability as a member of the Board of Revenue has.

31597. You would be quite content, speaking as a representative of the landowners, to see the Commissioner's decision in Court of Wards cases final?—Certainly, as the decisions of the Board of Revenue are now.

31598. The last witness told us that he thought the Commissioner's powers ought to be increased, but that such cases as the sales of estates should be reserved for the decision of the Board of Revenue: would you agree with that?—Certainly.

31599. The sale of estates by the Court should be decided, not by the Commissioner but by the Board of Revenue?—Yes; there must be certain distinctions.

31600. Who is now the Chairman of the Aligarh municipality?—Always the Collector.

31601. What is the size of the municipality?—Sixty thousand population and a lakh of rupees revenue.

31602. Do you think that in the municipality of Aligarh it would be possible to find some gentlemen who would be quite capable of discharging the duties of Chairman?—It is very difficult to answer that question, because sometimes there are people who would be able, and sometimes there are not. At the present moment I dare say there would not be any one capable.

31603. You would prefer to see the Collector remain Chairman?—In my municipality I would.

31604. Who prepares the budget of the Aligarh municipality?—The Secretary, by the Chairman's authority.

31605. Does he consult the Vice-Chairman?—I think not.

31606. Do you have a Finance Committee?—Yes.

31607. Do they discuss the budget?—No. Usually there are printed forms; everything is printed, and the members have nothing to do; the Secretary and the Chairman discuss the budget and put it before the Board, and the Board does not generally take an interest in curtailing the figures.

31608. Is the other work of the municipality done by committees?—Yes, there are several committees.

31609. And do they do no more than the Finance Committee?—I think they do.

31610. It is only the Finance Committee that does not actively interfere in the preparation of the budget?—I think there has been some misunderstanding. My meaning is that the Finance Committee understands the work quite as well as the other committee, but the details of the budget are under printed heads, certain things so much and certain other things so much, and none of the committee dare to curtail these things; they are afraid of the budget not being sanctioned by the Commissioner, and they take no interest therefore in curtailing the figures. In other respects they are as keen in their work as the other committees.

31611. Does the Commissioner interfere with the details of the budget?—Very much.

31612. Does he cut out expenditure?—Anything he does not like personally, or that he thinks against departmentalism, he does not agree with.

31613. But would he interfere, say, if you employed an extra peon?—Only if there is any heavy enhancement in the budget.

31614. He would not go into petty details?—No.

31615. He would interfere with major heads but not with minor heads?—That is it.

31616. Is that interference on the whole good?—Yes, it is very good sometimes; it fixes the opinions of some of the members.

31617. They welcome the Commissioner's supervision of the expenditure?—Yes, in many cases.

31618. How long should a District Officer or a Commissioner stay in his district?—It is a very good thing to keep him as long as possible, but to fix a certain number of years would be very difficult, both for the officers themselves as well as for the Service. We find some men very good, and we always deplore their going; whereas sometimes there is a man that the people want to go, or the officer himself wants to go; to keep him under those circumstances would do more harm than good. It will be better to keep in mind the idea that the officer should be of some long standing in a district, but not for a definite term of years.

31619. You would not fix any definite number of years, but you would like it to be understood that a long period should as a rule elapse before an officer is moved?—Certainly.

31620. (*Sir Steyning Edgerley.*) You would like to see tahsildars have rather larger powers than are at present given to them, and also Sub-Divisional Officers?—Yes.

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31621. Would you like to see the Sub-Divisional Officers living in their sub-divisions?—Nowadays they are all living in one place, and they have opportunities of exchanging their views and hearing what their subordinates have to say, and on their part the people have the opportunity of getting good pleaders to plead their cases. I would not advocate their living alone in their sub-division; it would be more hard for the people.

31622. Is not the naib-tahsildar very closely connected with tahsildar; they go up from the naib-tahsildar to the tahsildar?—That is so.

31623. You think that the Commissioner should appoint the tahsildar; who should appoint the naib-tahsildar?—I think the Commissioner also should appoint the naib-tahsildar.

31624. Should the Commissioner be able to fully punish the tahsildar?—Certainly.

31625. With an appeal to Government?—Yes.

31626. You heard the evidence of the last witness about the Board of Revenue; do you agree with his view that the Board of Revenue might be converted into colleagues of the Lieutenant-Governor?—Yes.

31627. Do you also hold the view that the officers in the districts are very heavily overworked?—Certainly.

31628. You would advocate the extension not only of the official staff, but also of the non-official Honorary Magistrates?—Yes, and I would create a grade of Honorary Assistant Commissioner too, the revenue cases being the greatest burden on the officers.

31629. Do the Acts of 1901 give unnecessary facilities for litigation?—Yes, most unnecessary facilities.

31630. You say that you think the District Officer for some time to come should always be a European?—That is my opinion, more especially in these days and under present circumstances.

31631. You suggest, too, that it would be a good thing for Government to adopt the policy of helping—through the Court of Wards, I suppose—old families who get into pecuniary difficulties?—Yes.

31632. You think that that is not sufficiently done?—Not yet; there are two kinds of persons as to whom there is danger of their estates; one, persons who are incapable owing to physical disability and those who are disqualified by moral disability. Collectors cannot do anything.

31633. (*Mr. Meyer.*) What are the *pargana* officers to whom you refer when you say that "all *pargana* officers should be authorised to exercise full powers of a Sub-Divisional Officer in their respective parganas"?—There are the Deputy Collectors in districts who are in charge of *tahsils* and they are always called pargana officers, in other provinces they are called *taluk* officers; I want them to have the full power of the Sub-Divisional Officer.

31634. You mean what we call the Sub-Divisional Officer?—That is it.

31635. We heard, for instance, that in rent suits there are First Class and Second Class Assistant Collectors; the First Class have higher powers than the Second Class?—The Second Class Assistant Collectors and the First Class Assistant Collectors are only grades, but the *tahluk* officers have always first class powers and the tahsildar has second class powers; the *pargana* officers are in charge of one or two *tahsils*, and they hear all revenue cases.

31636. Do they also hear magisterial appeals?—No, only revenue appeals.

31637. You say "as is the case in the Karwi, Mahoba, and Kasia sub-divisions"; those are cases where the Sub-Divisional Officer lives in his sub-division?—Yes.

31638. You say that the tahsildar should have power to hear and decide cases up to Rs. 250; do you mean rent cases?—Yes.

31639. You have told us that there has been a great increase of litigation in rent suits since the Act of 1901; will that diminish in time, as people get to know their rights and as questions are determined?—I do not think so. Litigation is a very bad habit, and once it takes hold of a community it will never go.

31640. You have told us that the district staff wants increasing; might you not reduce their work by delegating powers; you might give more powers to the tahsildar, and more powers to the Sub-Divisional Officer and more powers to the Collector; if you did that, they would not have so much work to do?—Still there is some other work which is very heavy, copying work and office work and treasury work; there must be an extra officer in charge of all these works, otherwise I do not think you will do any good.

31641. The treasury is generally in charge of a Deputy Collector who has other work to do?—Yes, but he is not in charge of any sub-division.

31642. How many Collectors have there been in your district in the last three years?—My last Collector has been there for five years; for three months there was some one officiating when he went home.

31643. When you say you do not think that transfers are too frequent, do you refer to your own district, or to the province generally?—I have got estates in two districts and I know them more than any others. Generally I have twenty-five years' experience of the whole province. By the Gazette I see the transfers and I hear from my friends that there are Collectors here and there. It is only the last five or six years that this problem has been talked of; I do not think the transfers are so very frequent.

31644. Have the District Boards and municipalities anything to do with vaccination?—They take a great interest in vaccination nowadays.

31645. Are the vaccinators under them?—Yes.

31646. Is it part of the function of the District Board to look after vaccination?—Yes, and of the municipality too.

31647. Are the deputy inspectors of vaccination under the District Board?—They are not always under the District Board; they are under the Civil Surgeon, and he is generally a member of the Municipal Board; I should like to see them under the Civil Surgeon.

31648. The Civil Surgeon also looks after the dispensary?—Yes.

31649. Does the District Board have much say there?—I think not.

31650. Would you like to have Dispensary Committees?—The members of the District Boards should have power of visiting the dispensaries and writing their opinions and seeing after the interests of the inmates, the food and nourishment, and so on; that would be a great improvement.

31651. It has been suggested to us that, if they had enough money, the District Boards might do more in the management of their roads; that they should have an officer of their own instead of the District Engineer, who is a Government officer; what is your opinion about that?—Nowadays there is great difficulty in the District Boards, and even the Collectors, as Chairmen of the District Boards, are always very much bothered by the District Engineer; we have to provide the money, but we have nothing to do with the details. If they construct the work very expensively we have nothing to say to them. We would like everything to be under the Collector. In the old days many things were done by tahsildars and very cheaply done; we should like to see the system again.

31652. Would you like to see the Collector having more say in regard to Public Works generally?—Yes.

31653. Is the Secretary of the Aligarh municipality a paid Secretary?—Yes.

31654. Does he work generally with the Chairman or with the Vice-Chairman?—With the Chairman.

31655. The Vice-Chairman does not do much work except when the Chairman is on tour?—Yes, we have two Vice-Chairmen, one the Joint-Magistrate and the other a member of the Board.

31656. When the Collector is away who takes his place?—The Joint-Magistrate.

31657. Then the non-official Chairman is rather a figure head?—It is something like that. It has happened that there has been present neither the Joint-Magistrate nor the non-official Vice-President, and I have presided at the meeting; that happened only last February.

31658. Does your municipality manage its own schools?—Yes.

31659. There is a proposal that the management of these schools should be made over to the District Board?—That I would not like. I am a member of the municipality and a member of the District Board, but I should like to see the Municipal Board school under the municipality and the District Board school under the District Board.

31660. Who inspects your schools for you?—There are circles of schools, and certain members are appointed to inspect.

31661. Some of the Municipal Commissioners?—Yes, and besides those there are the Government authorities.

31662. How far can the Municipal Council appoint its officers; say a clerkship of Rs. 20 is vacant in the municipality, can the Chairman appoint, or must he go to the Commissioner to get approval?—The practice is that the Secretary produces the papers before the Chairman, the Chairman appoints, and the Board approves. There is a practice that the appointment of the servants is always delegated from the Board to the person of the Chairman.

31663. Has it to go to the Commissioner for approval?—Yes, after a certain limit of pay.

31664. (*Mr. Hichens.*) How long do you think it takes a Collector to get a good general knowledge of his district?—I should say two or three years when he has toured all the district in the cold weather.

31665. In two or three years a good Collector would have a good knowledge of what the public opinion in his district was?—In three years, yes.

31666. He would know the principle people in the district and he would know what they thought about the principle public matters?—Yes, if he cared to find out.

31667. Therefore he would be by then in a very good position to report to the Government upon any public matter?—Certainly.

31668. So that a really good Collector would not require an Advisory Council?—Still there is difference of living, of manners, and customs between Europeans and Indians, and those things even a good Collector cannot know in such a short time; so that it would be much better to appoint an Advisory Council to give him an idea of what people talk of in their own homes.

31669. I thought you might mean perhaps that the Advisory Council was only required in the case of a Collector who was not one of the best?—It is very difficult to say who is the best and who is not, and therefore there is the necessity of appointing an Advisory Council; I spoke generally.

31670. If a Collector did his work properly, if he went about as he should and knew the people as he should, would there be a necessity for an Advisory Council?—I think there would be always a necessity.

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31671. (*Mr. Dutt.*) You said that a number of tahsildars might be promoted to be Deputy Collectors and that others should be appointed direct; do you desire those others to be appointed by the Government?—By the Board of Revenue, not the Government.

31672. Who should have the power of appointing Deputy Collectors when they are appointed direct?—The Local Government.

31673. You tell us that in your district there are two Vice-Chairmen, a Joint-Magistrate and another Vice-Chairman; is the Joint-Magistrate a member of the municipality?—Yes.

31674. Are both these Vice-Chairmen elected by the members of the municipality?—Yes.

31675. Are there other municipalities in the province where suitable non-official Chairmen could be found?—For instance in Fyzabad there is always a non-official; there are many capable Indians to be had there.

31676. Where capable Indians can be found should non-official gentlemen be appointed Chairmen?—Not as a rule in every municipality; in some municipalities they should be given the power of appointing them. I have stated that the appointment of the Chairman of the municipality should be under the Commissioner. My intention in saying so was that the Chairmanship of the municipality should always be free for every one, and if sometimes by mistake a non-official member is appointed who is not capable of being Chairman, the Commissioner might interfere in the matter.

31677. How many primary schools are there in the Aligarh district?—About 400.

31678. Is it desirable to increase the number?—Certainly.

31679. Is it possible to increase the number within the means of the District Board?—Yes, I think so, but there are very many other requirements that sometimes tie up our hands.

31680. A part of your District Board income is taken for the payment of village chaukidars?—Yes, that is the general rule.

31681. Should the District Board money be spent on that purpose?—If we gave that money to other purposes, it would be better. There is one thing I would like to add, I should like larger official powers to be given to the Local Governments, and the five-yearly contract to be abolished altogether. Nowadays practically the appointment of Munsifs is in the hands of the High Courts and the Judicial Commissioner. I should like it to be transferred to the Local Government just as the Deputy Collectors are. As I have said about the Sub-Divisional Officers and their powers, I should like him to have the power of appointment and dismissal of patwaris and peons. As to the right of appeal I should not like to see it curtailed. Only the pensionable posts should have the right of appeal; the non-pensionable posts should not have the right of appeal.

(*The witness withdrew.*)

KAZI AZIZ-UD-DIN AHMAD KHAN BAHADUR, was called and examined.

31682. (*Chairman.*) You are Deputy Collector of Moradabad?—Yes. I am also a trustee of the Aligarh College.

Commissioners should get power to transfer Joint-Magistrates and Deputy Collectors within their divisions. I would leave the appointment and promotion of the Deputy Collectors with the Local Government. The Commissioner should have power to appoint tahsildars within his division and all officials drawing Rs. 100 and more in the non-gazetted establishment. I would give the District Officer power to select and appoint his naib-tahsildars and office hands drawing less than Rs. 100.

The District Officer has lost a good deal of his influence in recent years. He has no power to give any coveted appointment to the sons of the influential and loyal residents of his district; he cannot, since the introduction of elective system, appoint members of District and Municipal Boards, and finally, he has no power to reward good work, except in the way of recommendations to higher authorities, which are not always accepted. Native gentlemen often talk of the good old days when everything was in the hands of their *Bara Sahib* (the District Officer). In my opinion the influence of the District Officer should be maintained.

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The powers of Sub-Divisional Officers should be extended. They should be made to live in the headquarters of their *tahsils* and invested with powers to hear appeals from the orders of the tahsildars and Honorary Magistrates in criminal, rent, and revenue cases. They should have power to appoint petty clerks and peons and do all miscellaneous administrative duties under the general control of the District Officer. A Munsif can, under the Civil Courts Act, appoint his establishment, but a Joint-Magistrate or Deputy Collector cannot fine a peon.

In executive matters there should be no appeals. For example, an order of a District Officer selecting a particular route for passing a *tazia* procession should be final. It is not desirable to restrict the right of appeal in cases of Government servants holding pensionable appointments. The *patwaris* and *chaprasis* should, however, have no right to appeal against the order of their dismissal.

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The Commissioner's influence in other departments than revenue is not strong. In the Police Department he has sufficient authority, but he should be given power to transfer inspectors of police and deputy superintendents within his division. He may also get power to transfer Assistant Surgeons and District Engineers.

His powers to supervise the work of the Municipal Boards require to be extended. He should have power to overrule resolutions of the Municipal Board in urgent cases subject to the orders of the Local Government. Now that it is intended to give more power to the municipalities, the Commissioners should possess authority to effectively check their work, especially in the matter of the election of Chairmen and appointment of Secretaries and other important officials.

European Executive Officers have sufficient opportunities to come in personal contact with people, but they are so overworked that it is impossible for them to have any social intercourse with them. Their interviews are of an official character. They possess a good knowledge of Hindustani in these provinces, and I have noted a marked improvement in this direction during the last five or six years. Their knowledge of Indian manners and customs is defective. I would suggest that young Civilians, instead of being posted to different districts, should be sent to three or four selected officers well known for their sympathetic treatment of Indians and well acquainted with the rules of Indian society for training.

Every Commissioner, District Officer, and Assistant Collector (Deputy Collector included) is fearfully overworked. Deputy Collectors in Agra province have to work for twelve or thirteen hours a day in the "ejectment" season. The number of rent suits has unmanageably increased since the passing of the Agra Tenancy Act. The number of Deputy Collectors should be increased in all grades. In 1903 and 1907 a few additional appointments were made in the lower grades, but the number is still inadequate. The fact that there are so many temporary and Additional Deputy Collectors in these provinces clearly shows that there is need for more officers. Summary powers should be given to selected officers to dispose of petty rent suits. When civil cases for recovery of money can be tried by Small Cause Courts, there is no reason why rent suits of a similar kind not involving questions of title should not be so disposed of. This will decrease the number of appeals preferred to the Collectors and District Judges.

I advocate the establishment of independent sub-divisions in order to relieve the Collector of much unnecessary and unimportant work.

Transfers are not frequent. An officer should not be left in one district for more than five years.

Act XX towns can be made over to the District Board; their income and expenditure being included in the District Board accounts. At present transfers of funds between minor heads of the budget are sanctioned by the District Board. The District Board should be permitted to transfer funds between major heads also. The District Board should be empowered to carry out works of Rs. 3,000 and under. At present they have power to carry out work costing Rs. 1,000 only. The District Board should be permitted to sanction the appointment of all its servants drawing Rs. 100 and less, and all recurring charges. The Board should have power to sanction the scale of salaries of all its servants. Under the existing system salaries of coolies, *malis*, sweepers, and other menial servants getting Rs. 5 or Rs. 6 are to be sanctioned by the Commissioner.

Advisory Councils can be established in each district, but the members should be appointed and not elected. Appointments should be made by the District Officers with the Commissioner's sanction. They should be consulted in matters such as the appointment of Honorary Magistrates, village munsifs, and the introduction of local laws into a district, and so on. Administrative Councils will not be useful. The Collector should be left free to use his discretion in administrative matters.

I advocate the establishment of benches of Honorary Magistrates and Honorary Munsifs in all big towns and *parganas*. Benches of village munsifs should also be established. Single village courts do not give satisfaction.

31683. You wish Collectors to have the power of suspending revenue?—Yes, foregoing the rule that the Collector can only postpone collection.

31684. Would you fix any limit to that power of suspension?—I should say for a year; at present they can suspend only for six months.

31685. Would you grant any power of remission?—Not to Collectors, but to Commissioners.

31686. How much?—I should say 50 per cent. in the case of distress over the whole area of the division.

31687. With regard to the appointment of tahsildars, do you agree with the last witness that they ought to be appointed to the division?—Yes, by the Commissioners.

31688. Would you allow tahsildars to become Deputy Collectors?—Yes, some of them—on proof of their merit and capability.

31689. Who should appoint naib tahsildars?—The Collector.

31690. Would you allow them to become tahsildars?—Yes, by promotion and selection.

31691. You tell us that the District Officer has lost much of his influence; is it capable of being restored?—Yes, by giving him power to make these appointments.

31692. Should collectors transfer as well as appoint tahsildars and naib-tahsildars?—The Collectors have the power to transfer tahsildars and naib-tahsildars in their districts.

31693. You think the Sub-Divisional Officer should live at the headquarters of the *tahsil*. Would you agree with the witness who thought that their not living at headquarters would be inconvenient on account of the absence of pleaders?—No; in fact there are many advantages in living in the *tahsil;* a man has a petty case; he has to travel a long distance from his village to the headquarters of the district and spend money on pleaders. If the Sub-Divisional Officer is in his sub-division he can go there without any expense. The Sub-Divisional Officer will be more in touch with the people if he is always in his sub-division.

31694. How far are the headquarters of the *tahsils* from the headquarters of the district?—Sometimes 70 or 60 miles; for instance, in Fyzabad district the Tanda *tahsil* is 70 miles from the headquarters.

31695. You say that in executive matters there should be no appeal; is there any appeal now?—The Commissioner has general powers.

31696. You would leave matters to the Collector?—Yes.

31697. How many municipal Boards are you Chairman of?—When I was Collector of Bulandshahr I was Chairman of three municipalities.

31698. Did you find there was any hesitation on the part of the members municipality to discuss matters with you?—Not if you gave them the chance. Sometimes the District Officers are overworked and they want to finish the work very soon; everything is cut and dried, and it is just produced before the members and they approve of it.

31699. If they are encouraged to discuss matters then there is no hesitation or fear on their part?—No.

31700. In an ordinary municipality would you find an Indian gentleman who would be capable of filling the post of Chairman?—In some places, but generally the people prefer the District Officer to be Chairman.

31701. For what reason?—In India unfortunately there are different castes and communities, and if a man of one nationality is appointed Chairman there he is partial to his own people, and there is jealousy in the other community; for that reason they always prefer to have an outsider.

31702. We have evidence showing that whatever may be the case in the District Boards, in the municipalities the members feel much freer, and that there are people capable of taking the chair?—There are no doubt in some districts, but I would not have a non-official Chairman in larger municipalities.

31703. But you would limit that to the smaller municipalities?—Yes, there is no objection in the case of smaller municipalities.

31704. I do not quite understand what the ejectment season is?—Under the Tenancy Act, cases for ejectment of tenants are instituted during the months from July to September, and the number is very enormous. They have to be disposed of in seven or eight months; that period is the hardest for Deputy Collectors and Assistant Collectors.

31705. Are the ejectments caused by the non-payment of rent or non-payment of revenue?—If a tenant does not prove himself a proper tenant, if he does not pay rent or do as his landlord says, the landlord ejects him.

31706. You think that an officer should not stay for more than five years in one district. Why do you fix that limit?—Generally in a year or two years he makes himself acquainted with the district; after that three years are quite enough for him to do good work.

31707. If he stays longer what happens?—Sometimes if he takes a dislike to a man he can do more harm than good.

31708. You would not fix the period of his stay for longer than five years?—No.

31709. Should that also be the shortest period?—The shortest period should be three years.

31710. Do you wish, speaking generally, the powers of either District Boards or municipalities to be extended?—Yes, in educational matters. They should have power to create new schools and to spend a larger portion of their money on education.

31711. Would you give them a higher class of school to look after?—Yes. They should have charge of the secondary schools. Not the colleges.

31712. Could village communities be legally created here with simple powers of administration?—Yes; in Fyzabad they have village courts and they are doing very well.

31713. What population would you group under a village panchayat?—I should say about 3,000.

31714. How many members would you have on the panchayat?—Not less than five.

31715. More than five?—Yes, if possible; if you can get good men, eight or ten.

31716. Not more than ten?—No.

31717. (*Mr. Dutt.*) You said that Deputy Collectors should be appointed by the Local Government, but that a certain proportion of them might be filled up by promotion from tahsildars; what ought the proportion to be?—The practice now is that out of ten, three Deputy Collectors are appointed direct and seven by promotion from tahsildars. As to the Deputy Collectors in these provinces, their social position is not very high or desirable; the reason is that some low-paid clerks have managed to be promoted to the office of Deputy Collectors, and they are generally looked down upon by those officers who get them promoted. My opinion is that the greater proportion of Deputy Collectors should be by recruitment.

31718. What proportion would you have?—I should say half to be appointed direct, and the other half to be filled by the promotion of tahsildars.

31719. Would you recommend the increase of the sub-divisional charge, that is to say, the formation of two or three *tahsils* into a sub-division? If the *tahsils* are smaller that could be done.

31720. I do not quite understand what you mean by saying, "I advocate the establishment of independent sub-divisions"?—In this province there are six sub-divisions; in these they have proper Sub-Divisional Officers, but in other districts the Deputy Collectors and the Assistant Collectors are placed in charge of sub-divisions by Collectors; they have no power to hear appeals or to have a separate establishment; they are only in name Sub-Divisional Officers; I should like them to have definite work in their sub-divisions with complete administrative power within their own limits.

31721. Your District Board has to refer to the Public Works Department all roads over the value of Rs. 1,000, while smaller roads are done by the District Boards themselves. Would you like to make any change in that system?—Yes, I would like a District Engineer under the Board.

31722. Would your District Board be able to find money for that purpose?—Yes. Formerly we had a District Engineer.

31723. In educational matters, you say you would like to give larger powers to the District Board. Is it not the fact now that the District Board has charge of all the educational institutions in the district except the Government *zilla* school?—Yes.

31724. Then how can you enlarge their powers any further?—For instance, normal schools are under the Director, not under the Board; I think we might have those also.

31725. Only the transfer of normal schools?—Yes, the District Government schools are now going to be transferred to the Director; they will become provincial schools.

31726. Is it not desirable that one school in a district should be under the Department, to serve as a model to the other schools?—Yes, it is.

31727. (*Sir Frederic Lely.*) As Sub-Divisional Officer, how much are you expected to tour in the year?—Sixty days in the year.

31728. How do you carry your kit?—We are allowed seven bullocks—three carts.

31729. Do you get the bullocks from the villages?—Formerly we used to seize them in villages, but now we employ them; Sir Charles Crosthwaite was very keen on this subject and issued certain orders; since then we have no *begar* system.

31730. Do you find any difficulty in getting them?—No.

31731. Do you move camp every day?—No, in three or four days.

31732. Do you manage to cover the whole of your sub-division in that sixty days?—Yes, we inspect the *tahsil*, all the police stations, pounds, and all the schools we can do; we cannot inspect every village in sixty days.

31733. Do you bring yourself within reach of every part of the sub-division?—Yes.

31734. Do the people like your touring?—I do not think they do. It is generally very inconvenient to the villagers.

31735. Would they sooner you stopped at the head-quarters of your sub-division?—Yes. If we could make better arrangements for our supplies, it would not be a hardship to the villagers, but now in every village firewood has to be supplied by the zamindar, and straw has to be supplied, and so forth; that is generally inconvenient; of course we have to do it, because there are no shops where we can buy all these things.

31736. (*Sir Steyning Edgerley.*) Would you appoint your tahsildars direct or from among the naib-tahsildars?—I think about 25 per cent. should be appointed direct, and 75 per cent. by promotion.

31737. You say the Sub-Divisional Officer should not have power to punish a naib-tahsildar; should he have power to deal with everyone else in his sub-division?—Yes, all the other clerks and subordinates.

31738. Should the Collector punish a naib-tahsildar?—Yes.

31739. And a tahsildar?—He has power to punish a tahsildar, but I would not give him power to dismiss the tahsildar.

31740. If you took 50 per cent. of the Deputy Collectors' appointments for direct appointment, would that not affect your recruitment of tahsildars?—I do not think so.

31741. Do you know the Fyzabad district?—Yes. I was there for 4½ years as Deputy Collector at head-quarters.

31742. Were you a member of the municipality?—No, it is a non-official municipality altogether. Under the rules the senior Joint-Magistrate in every district is *ex-officio* member of the District Board; there is no other official there.

31743. Have you any knowledge of what the official estimation of the working of the Fyzabad municipality was?—Yes. It is not very favourable.

31744. On the other hand, were the people satisfied with it?—No. The fact is that for the office of Chairman there are two parties in Fyzabad and the chairman generally tries to get his own men elected as members, so that at the time of the election of Chairman there

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will be no difficulty in obtaining a sufficient number of votes. Independent and self-respecting men cannot get into the Board by election.

31745. Would it be a relief to the town if you went back to the Collector as Chairman?—A great relief; that is my idea.

31746. (*Mr. Meyer.*) You say that the senior Joint-Magistrate is always a member of every municipality in the district?—Yes.

31747. And Vice-Chairman too?—No, that is a matter of election.

31748. Has not the senior Joint-Magistrate also other work to do?—Yes.

31749. Is he in charge of a sub-division?—He is generally in charge of one sub-division, and he is an Excise Officer.

31750. Then how can he find time to go round municipalities outside his own sub-division?—He generally manages to go there on Sundays and holidays.

31751. Is the Sub-Divisional Officer an *ex-officio* member?—No; my idea is that the Sub-Divisional Officer should be *ex-officio* member, not the Joint-Magistrate.

31752. We were told yesterday that the Joint-Magistrate was put in in connection with octroi?—Yes; in every municipality the Joint-Magistrate is President of the Finance Committee; that was Sir Antony MacDonnell's order.

31753. But what happens when he is away?—The Joint-Magistrate is Chairman of the Finance Committee in every municipality whether he goes there or not.

31754. Would you like to give that position, in his own sub-division, to every Sub-Divisional Officer?—Yes.

31755. In some districts there is no Joint-Magistrate?—No. The senior Deputy Collector does all the work, but he cannot be a member of the Muncipal Board; the words in the circular are "the senior Joint-Magistrate"; it does not say "the senior officer."

31756. Would your Advisory Councils be large in number?—I think they would be useful in certain matters; in big districts the number should be larger and in the smaller districts smaller.

31757. How many would you say in a big district?—I should say twenty.

31758. Would you have their meetings at stated periods?—Yes.

31759. Tahsildars generally have third class powers only?—That is so; very few have second class powers; those who are approved for Deputy Collectors get second-class powers.

31760. Would you be in favour of giving all tahsildars second-class powers after they had done their third-class training?—Yes.

31761. And naib-tahsildars?—I think I would give them third-class powers.

31762. What is the position of the kanungo in your district?—They have a certain number of *patwaris* and they inspect all the villages.

31763. They do not belong to the Land Records Department?—No, they are entirely under the Collector.

31764. The Collector has full power to appoint and dismiss?—Yes. A reference is made to the Director when a kanungo is dismissed, but the Collector has power to dismiss.

31765. Is there not a good deal of work that goes to Commissioners in the matter of the appointment and removal of *lambardars* and village accountants?—Yes, the Commissioner hears appeals from the orders of the Collector. Collector has power to dismiss *patwaris* and *lambardars*.

31766. Might that work not be left to the Sub-Divisional Officer with an appeal to the Collector?—Yes, that would be a good thing.

31767. What is the pay of the *patwari*?—From Rs. 7 to Rs. 12.

31768. Might that not be left to the Sub-Divisional Officer?—Yes, the Sub-Divisional Officer appoints the *patwaris*.

31769. And you think he might have power to dismiss them?—Yes.

31770. Are there many of them?—Yes, about 200 in one *tahsil*.

31771. Who presides at the meetings of a "notified area" panchayat?—There is one panchayat Chairman. These panchayats are purely non-official.

31772. What sort of work do they do?—They simply assess the house-tax, that is all.

31773. Do they not do anything in the way of keeping the town clean?—No.

31774. Who does that?—In every town there is a sanitary *jamadar*; he looks after that work and he is under the tahsildar.

31775. The committee is not local self-government in any way?—No; they have only to assess the house-tax.

31776. Sanitation in your districts is under the Civil Surgeon as a rule?—Yes.

31777. Does the District Board have much to say in it?—Yes. There is a Health Officer under the District Board. He is an Assistant Surgeon.

31778. Is it the same in the municipalities?—Yes.

31779. The last witness told us that at Aligarh the members of the Municipal Council themselves went round and inspected the schools; has that been your experience?—In my district the deputy inspector always inspects the schools.

31780. Does the municipality entertain its own deputy inspector?—No; the District Board deputy inspector works for the municipality.

31781. But apart from that, do the Municipal Commissioners go round and look at the schools and report?—No, the Secretary does that; we have a paid Secretary.

31782. It has been proposed that the management of these municipal schools should go over to the District Board; would you approve of that?—Yes; that would leave the Municipal Board money to devote to other purposes.

31783. But the municipality would still continue to pay; it is merely a question of management; if that is so, do you think that that is a good step?—In this way, as the District Board has a regular staff for inspection; it is a good idea.

31784. The Municipal Council if they chose, however, could take a real interest in the schools in the town?—Yes.

31785. You think they do not as a rule?—They do not.

31786. It has also been suggested that the deputy inspectors of schools should cease to be Board officers, and should become Government officers of the Educational Department; would that be a good step?—Then the District Board would have no control over them; it would not be a good thing.

31787. Would you give Commissioners the power of investing officers with magisterial powers; at present if a tahsildar or a Deputy Collector is to receive second or third-class powers, that has to be gazetted by the Local Government?—Yes; now the tahsildars as soon as they are appointed, by virtue of their office, get third-class powers.

31788. Then it becomes a question, say, of appointing a man who has had third class powers to second-class powers, and a man who has had second-class powers to first-class powers?—I would leave all that to the Local Government.

31789. Would you give Commissioners a personal assistant of the Deputy Collector class?—That is a very good idea; I have myself been a personal assistant to the Commissioner of Benares.

31790. Have you got a personal assistant here?—No, they had then, but now the post has been abolished.

31791. When was that?—In 1894; only the Commissioner of the Benares division had a personal assistant and I was there for a short time.

31792. Would you be in favour of giving the Commissioner a considerable part of the Provincial Public Works budget, and letting him sanction works?—Yes.

(*The witness withdrew.*)

Raja SHIAM SINHA was called and examined.

31793. (*Chairman.*) You reside in Tajpur, Bijnor district?—Yes. I am a zamindar.

31794. Have you had any experience of local government?—Not much, only for two years when I was member of the Legislative Council.

31795. Have you been a member of a District Board or of a municipality?—No.

31796. You say that extended powers should be granted with regard to the Court of Wards. We have had representations at various places that owners of estates are unwilling to have estates taken under the care of Government; have you anything to say regarding that?—Those who are spendthrifts, or those who want to do away with their money, do not always like interference on the part of Government. Our desire is to save those properties and those proprietors who are incapable of managing their own affairs; it is better that the property should be put under the Court of Wards than to let them loose to destroy their property.

31797. Speaking generally, the interference of Government is good for the estates?—I think so.

31798. Should the Commissioner be made the final judge of all matters connected with the Court of Wards?—Yes, the Commissioner should have extended powers.

31799. But would you have him make the final judge in all particulars?—In all particulars about Court of Wards.

31800. Should he be controlled in any way by the Board of Revenue?—The Board of Revenue and the Commissioner might equally have the same powers; it is better that the Commissioner should have the power, because he is more amenable to the public; he goes about, and he has more facilities of knowing the people than the Board of Revenue, therefore he should be the judge.

31801. Would the zamindars and *talukdars* be perfectly content with the decisions of the Commissioner in respect of Court of Wards estates?—I think so.

31802. And there would be no necessity to send up the budgets even of the largest estates to the Board of Revenue?—I do not know about the largest estates; perhaps their budgets might be sent up, but, generally speaking, the owners of property would be perfectly satisfied with the judgment of the Commissioner.

31803. In Tajpur, Bijnor district, have you had many transfers of local officers?—There were some few years ago, but lately there have not been many.

31804. How long have you had your present Collector?—For four or five years.

31805. Does he consult you and other gentlemen of prominence in the district upon local points?—Yes, sometimes, if there is any occasion for it.

31806. I mean, do you feel that you are always at liberty if some matter of local importance arises, to get into your carriage and go and see him?—Yes, we have confidence in him.

31807. There is no hesitation on your part in going?—No, not in the least.

31808. We have also been told sometimes that District Officers are discourteous to Indian gentlemen who go to them; have you any experience of that?—Personally I have not.

31809. Have you had any complaints made to you by your friends?—Yes, I have heard complaints. All officers are not the same. Besides, sometimes when an officer is hardworked (as they generally are) and people go to him and have nothing to say but simply sit down, a man may lose his temper and ask them to leave or something like that; it entirely depends on the man himself; if he has the time he will generally see and listen to anyone; sometimes it must be admitted it is our own fault.

31810. Speaking generally, is there any ground for complaint?—Complaint of want of sympathy, yes.

31811. Or want of courtesy?—Want of courtesy I have heard about, but personally I have not had that experience myself; I have always had a considerate reception.

31812. With regard to District Boards, you say their functions should be extended, more particularly with regard to roads?—Yes. I would have all the funds managed by the District Boards.

31813. Do you wish to see the District Officer separated from the Chairmanship of the District Board?—No.

31814. Does your District Board work through committees?—It is worked under the Chairman.

31815. Do the members of the Board take any considerable share in the management of the work?—In the larger districts perhaps they do, but not in the smaller districts.

31816. Is that because the Executive Officer likes to do it all, or because the people rather hesitate?—The people cannot do it. I like the principle that they should have more work in their charge, and take more interest, but they do not take interest; they are not capable of doing it; in some small districts everything is done by the Chairman.

31817. In that case, what is the advantage of creating, as you suggest should be created, an Advisory Council to assist the District Officer?—I think the people might then take an interest in their own affairs and go and meet the Collector occasionally; if they do not choose to go to him and give their own advice, they can stay at home, but in that case they would have to go.

31818. Does not the District Board at the present moment practically act as an Advisory Council?—I have no experience of the District Board myself personally; I have never been a member of it; but I do not think it is an Advisory Council or anything like that at present.

31819. Does not the District Board, as a matter of fact with its twenty or thirty members, act as an Advisory Council?—Not to my knowledge; they all sit, and whatever questions are put to them most of them are not even understood by the members.

31820. Would they be understood if the same people were meeting as an Advisory Council?—As an Advisory Council they might understand something, but about these different things they do not understand at all. I like the principle, but its application is rather difficult. I am not in favour of its application to small districts; in larger districts where the people are more advanced and educated it is workable, but in small districts like Bijnor and others it would not be workable.

31821. With regard to village communities, if they were grouped together so as to make a centre of about 4,000 or 5,000 people, could you give them some simple powers of petty civil and criminal jurisdiction?—No, I do not think it would be safe to do that; I would not give them any power at all.

31822. They would get quarrelling about these matters?—They would all quarrel amongst themselves and they would only have their own personal ends to meet.

31823. There are caste panchayats?—Yes, in every caste they have their panchayats.

31824. But they cannot be trusted to deal with inter-caste questions?—No.

31825. (*Mr. Meyer.*) If you had an Advisory Council and the majority happened to differ from the Collector, what would happen under your plan; would the Collector be able to over-rule them?—Yes; the Collector having a better knowledge must have power to over-rule them.

31826. And in the same way with the Commissioner?—Yes.

31827. You say that they should be constituted partly by election; who would elect?—They would be elected by the Boards, I suppose; I would rather have nomination.

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31828. You say that District Boards and municipalities should have extended powers over their finances; what sort of powers do you mean?—Using their own money.

31829. You mean that the budget should not go up to the Commissioner?—I mean they should have more control over their own finances and their own money.

31830. Have they not control at present?—Not much.

31831. What is it that you object to?—If they want to construct a road they have to get sanction from elsewhere.

31832. Anything over Rs. 1,000?—Yes; I should say that they should have more money entrusted to them for their local wants.

31833. Any work that costs over Rs. 1,000, even though there are funds available, has to go up for the special sanction of the Commissioner?—Yes, that is unnecessary.

31834. But the budget would still go to the Commissioner for approval?—Yes, but the amount of Rs. 1,000 might be extended to something larger, say Rs. 5,000.

31835. You still think the budget should be passed by the Commissioner?—Yes.

31836. Would you like the District Boards to have their own road establishment?—I would like the road question to be left to the District Board entirely.

31837. You would have the District Engineer a servant of the Board?—Yes.

31838. Would you give the Commissioner larger power over Public Works?—Yes.

31839. Would you give him a budget from which he might allot for works within his division?—Yes.

31840. You say that the District Officers are prevented from coming in contact with the people, among other things, by too much clerical work?—Yes; the District Officer has a good deal of clerical work; he has all the reports, and so on to do.

31841. A good deal of clerical work arises from the reporting on appeals?—Yes.

31842. At the same time you do not want to reduce appeals?—Besides appeals he has a lot of reports to write; all the other clerical work that he has to do does not leave him much time to see the people and consult them.

31843. Take a revenue case; a man appeals from the Sub-divisional Officer to the Collector, from the Collector to the Commissioner, and then on to the Board of Revenue; is it necessary that all that should happen?—Besides that, he has other extra work; I have never been a Collector myself.

31844. You would not reduce appeals in any way?—Certainly not.

31845. (*Sir Steyning Edgerley.*) You echo the complaints of District Officers being overworked?—In some districts there are more men and the work is equally divided, but if the number of men is not sufficient then they will be overworked?

31846. You say the district staff is generally overworked?—Yes, in some districts where the men are insufficient.

31847. You do not say that generally?—No, it is only in certain districts where the number of men is not sufficient.

31848. (*Sir Frederic Lely.*) You have a large estate?—Not a very large one. About ninety villages.

31849. What would be the size of the largest?—It may be about 2,000 people.

31850. Are there factions in any one of those villages?—There have been some since the settlement. There have been quarrels on account of the occupancy tenancy, and so on; formerly the landowner and his tenants had more confidence in each other, but since the introduction of the new laws there has been friction between the two.

31851. How is the water supply provided?—From wells and tanks; in some places there are tanks and then they have covered wells.

31852. Suppose the chief well of the village wanted repairing, where would the money come from?—The zamindar gives it; I always provide my tenants with wells and everything.

31853. To whom do you give the money?—I get the work done through the village workman; for instance, the carpenter does his work and the mason does his work, or if there is no mason living there we get a mason from elsewhere.

31854. You do not enlist the superintendence of the village in any way in the work?—The men look after it, they readily work getting their own carts to bring the bricks, and so on.

31855. Then they do combine in that way?—Yes.

31856. Have they a headman?—Yes, what we call a *mukaddam.*

31857. Is he hereditary?—Yes.

31858. I suppose you would always employ him for village work?—Yes.

31859. Are there no hereditary elders—no associated families?—There are some old families, but they are dying out now.

31860. The headman being an hereditary person, is he looked up to by all the villagers?—Sometimes he is, not necessarily. The zamindar always appoints the hereditary person; if there are two families each family wishes their own man appointed, and if the zamindar selects one man there is always a quarrel between those two families.

31861. Is the influence of a zamindar in a village rather great?—Not necessarily.

31862. Would not the zamindar ordinarily be able to exercise an influence over them in getting them to combine together for any public work, such as repairing a well, or managing village schools, or keeping up a road?—The zamindar's influence, of course, goes a long way.

31863. In the case of a village school is there usually a committee of the villagers?—No, not so far as I know.

31864. Do you not think that a committee of the leading villagers might exercise a useful function in looking after the school?—They do not take much interest in education.

31865. You do not think, even if the zamindar appointed a committee, they would take an interest?—No, they do not take much interest in education in my part; they are particularly indifferent.

31866. You think there is no public spirit in the villagers that you are acquainted with?—None at all so far as education is concerned; they take no interest in it at all.

31867. (*Mr. Dutt.*) You think the Commissioner ought to have more powers in matters other than revenue; do you mean police and excise matters?—Generally. The Commissioner goes about a good deal more and therefore he can gather personal knowledge and he ought to have more power; that is my idea.

31868. Generally the administration of the division should be under the control of the Commissioner?—Exactly.

31869. (*Mr. Hichens.*) Do influential people in the district go on to the District Board in your district?—No, that is not my experience.

31870. There is no particular readiness on their part to go on?—No.

31871. Why is that?—I do not know, I have never been on one myself.

31872. It does not arouse their interest?—No, they have no interest at all.

31873. Is there not a form of election?—Yes, in the *tahsils*; the members of the municipality select members for the District Board.

31874. You do not think it would be a good thing to have a wider franchise?—In the smaller districts I do not think it would be workable; in the bigger districts where the people are educated they understand their interests better.

31875. (*Chairman.*) You told us that there was such friction between the zamindar and the tenants in consequence of the recent settlement; is that on account of the revenue settlement?—Yes.

31876. What is the cause of that friction?—Giving the tenant more liberty over his land. For instance, if a man becomes an occupancy tenant the zamindar has nothing to do with him and he always thinks he is master of the land himself; that is the cause of quarrel.

31877. It has given the raiyat a greater permanency over the land?—Yes.

31878. The previous witness referred to ejectment cases; does that apply in the case of tenants who have occupancy tenancies?—There are certain conditions in which the tenant can be turned out for instance, the revenue is not paid, but not otherwise. *Raja Shiam Sinha.* 18 *Feb.*, 1908.

31879. Has that added very much to the work of the District Officer?—Yes, these ejectment cases take up a great deal of his time.

(*The witness withdrew.*)

MAULVI MUSHTAK HUSAIN was called and examined (through an interpreter).

31880. (*Chairman.*) Will you tell us your place of residence and the experience you have had in Government service?—I am a *jagirdar* of Amroha, in the district of Moradabad. I served for twelve years under the Government of the United Provinces, and then entered the service of His Highness the Nizam. For nineteen years I served as a Divisional Commissioner, member of the Board of Revenue, and Secretary to the Nizam's Government. On retiring from the service of His Highness I was created Vikar-ud-daula, Vikar-ul-mulk, Intesarjung Bahadur in the Hyderabad peerage. I am now Honorary Secretary of the Muhammadan Anglo-Oriental College at Aligarh, Honorary Secretary of the All India Muhammadan Educational Conference, and Honorary Secretary of the All India Muslim League. I have taken part in public movements since forty years ago, when Sir Syed Ahmed Khan, K.C.S.I., founded the Aligarh Society. I am also Honorary Fellow of the Allahabad University. *Maulvi Mushtak Husain.* 18 *Feb.*, 1908.

The right of appeal to the Government of India should on no account be curtailed, nor should any certificate be required for that.

The Collectors of the Districts should be empowered to suspend as much revenue as they think proper, having due regard to the condition of crops.

The Collectors should be given powers to appoint dismiss, fine, and suspend all men under them drawing a salary of Rs. 50 or less a month, except naib tahsildars.

Deputy Collectors should be empowered to appoint, dismiss, fine, and suspend the patwaris, chaprasis, and their own orderlies.

The influence of the Commissioners of departments other than that of Land Revenue is not sufficiently strong. They should be authorized to supervise, more or less, all the departments in their division; their control over police, hospitals, engineering, and vernacular education should be increased; they should have power to send for records from every office; they should have authority to ask for information in respect of matters connected with any department and to suspend the proceedings of any department, if it be considered necessary to do so, only sending their report to the Government or the High Court or to any other authority as the case may be. Their tour should be solely devoted to inspection and general supervision and the cases on their file should not be heard and decided during their tour but at the headquarters. The Commissioner's tour should be such as to impress the officials of every department as if it were the tour of the Head of their own Department.

Executive Officers are so overworked that they do not find sufficient opportunities for personal contact with the people, without interruption in the execution of their duties and sacrificing their rest. It also depends upon the officer's individuality. Those of good nature freely offer such opportunities to the people, at the cost of their rest and work, while others do not. Moreover, there are two kinds of men too, one who go to the officers and waste their time for nothing, and the others who do turn the interview to good account. But the advance in the education of the people is, however, gradually removing the defects of the first, and the want of social interest on the part of some of the officers may be removed to some extent by the supervision and advice of the Government. Moreover, the progress in general education will help in making the officers more social, because they will no doubt treat the educated people with more consideration according to their rank and position.

Officers can speak the vernacular, but seldom seem to have sufficient knowledge of their reading and writing, which fact greatly affects the due discharge of their duties. Those who do acquire this power of reading and writing the vernaculars are looked upon with deep interest and regard by the people and mix with them without reserve.

A general increase in the administrative staff is desirable. The present officers with existing staff can hardly finish their daily work.

The Commissioners, Collectors, and other local authorities have already so much powers that greater care is necesssary to be taken in their selection. I admit that we are having abler officers now than before. I would not suggest to have less regard for their seniority, but the Government may well adopt some other way of recognising special qualifications and abilities. They may be deputed on some special duty or transferred with promotion to some other lines.

The Government have in recent years attempted to stop unnecessary transfers, and so they are not very frequent now. Besides the Local Government, the Heads of the Departments have also got some powers of transferring subordinate officers these days. If transfers are found really necessary within five years, sanction should first be obtained from above by submitting a report to that effect and giving out reasons for the proposed transfers.

The creation of Advisory or Administrative Councils to assist the Divisional and District Officers appears to be desirable, but looking to the backward condition of education in these provinces, it is difficult to get such members as may do their duties in a proper way.

I do not think that the village communities have so far advanced as to make it desirable to give them powers proposed in this question.

The Directors of Public Instruction have two kinds of duties to perform in their official capacity; (1) administrative, (2) educational. Appointment, dismissal, transfer, and punishment of subordinates come under the first; and fixing of curricula, distribution of grants-in-aid, framing of rules for transfer certificates, levying of admission and monthly fees, imposing of fines, &c., fall under the second. Before exercising his powers or submitting his report to the Government in respect of matters falling under the second category, the Directors should be required to consult a committee (composed of non-official members) appointed originally by the Government, from among those persons who take interest in educational matters. The committee should have power to nominate persons for the membership falling vacant from time to time. In case the committee differ from the views of the Director, the matter should be referred to the Government for final decision.

31881. Are you a member of any Municipal or District Board?—No.

31882. Are you acquainted with the system under which the Commissioners work in the British service?—I was in the British service thirty-five years ago.

31883. Is the size of a Commissioner's district in the Nizam's territory about the same size as the area of a division in the British service?—The area there is larger than the area in the British service.

31884. What was the size of your division in the Nizam's territory?—20,000 square miles.

31885. Had you a very free hand in the management of the division?—In revenue matters I had a free hand and I had power to hear criminal appeals; I used

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to send capital cases to the High Court; I had also authority over the police; in educational matters, too, I was the chief officer, and in Public Works.

31886. Could you dispose of administrative cases and personal executive cases finally without there being any appeal beyond you?—There was an appeal to the Minister.

31887. Was there any appeal beyond the Minister?—There was no appeal but the Nizam could revise.

31888. Did you, as Commissioner, control the whole of the educational system?—Yes, the inspectors of schools were not subordinate to me, but I had power to report any educational matter that I liked to the Government, and I could interfere in anything I liked in educational matters.

31889. Are there municipalities in the Nizam's territories?—There were no Municipal Boards in the districts.

31890. Who controls the schools?—The inspectors, and when I was out in camp I inspected the schools.

31891. There were no District Boards?—There were District Boards when I was Secretary to the Government of the Nizam.

31892. Who was the President of the District Board?—The Collector, or the Deputy Commissioner—the *talukdar*.

31893. Who controlled the municipality?—The District Officers. In Hyderabad there was a separate Board to do sanitation and so on.

31894. How long did you remain a Commissioner in your division?—Three years. Then I became a member of the Board of Revenue for two years. After that I became Secretary to Government and before my appointment as Commissioner I was Judicial Secretary to Government.

31895. When you were Commissioner did you tour about over the district?—Yes.

31896. Did you post the Collectors in your division?—No.

31897. Did you appoint the Munsif or tahsildar, or other officer?—I could transfer tahsildars, but I could not appoint them. When I left Hyderabad, Commissioners were empowered to appoint tahsildars.

31898. (*Mr. Dutt.*) And to dismiss them?—Yes, subject to appeal.

31899. You propose that the Commissioner should have the power to supervise more or less all the departments in his division. Will you explain what you mean by "supervising"?—The Commissioner should supervise the work of all the departments, and if he finds anything that in his opinion should be reported he should be able to do it. For instance, if he finds that in the Postal Department the postmaster's work is not satisfactory, he may report that.

31900. You propose that pending the action of the Government on the Commissioner's report the Commissioner should have power to suspend the action of any department if he finds that action to be wrong?—Yes.

31901. Do you propose that Commissioners should have power to appoint tahsildars and naib-tahsildars?—I think the naib tahsildar might be appointed by the Commissioner, but not the tahsildars.

31902. Do you propose that the Commissioner should have the power of posting and transferring Deputy Collectors and Joint Magistrates within his own division?—No.

31903. Do you propose that the Commissioner should have the power of giving judicial powers to men in his own division?—No, that should be with the Government.

31904. Do you propose that some of the powers now exercised by the Board of Revenue might be delegated to Commissioners, such as revenue appeals in partition cases?—No, I think the Board of Revenue should have that.

31905. (*Sir Frederic Lely.*) Who is the officer in Hyderabad who corresponds to the Collector in British territory?—The *talukdar*.

31906. Who comes between the *talukdar* and the Commissioner?—There are three kinds of *talukdars* in Hyderabad; the first *talukdar* is equal to the Deputy Commissioner, the second *talukdar* is equal to the Joint Magistrate, and the third *talukdar* is equal to the Assistant or Deputy Collector.

31907. Does the first *talukdar* make administrative reports?—Yes.

31908. How does the Commissioner exercise his control over him as a rule—by touring and inspecting?—He goes out on tour and then he receives reports and returns from the District Officers.

31909. Then there is a form of control which is much in vogue in British territory, namely, requiring the Collector, the Head of the district, to get previous sanction before he takes certain action?—In certain matters. I should like to add this; the appointments of the Judicial Officers such as the Munsif are now made by the High Court and the Judicial Commissioner respectively. I would suggest that they should be made by the Local Government.

(*The witness withdrew.*)

NAWAB MUMTAZ-UD-DAULA, HON. SIR MUHAMMAD FAIYAZ ALI KHAN BAHADUR, K.C.I.E., C.S.I., was called and examined (through an interpreter).

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31910. (*Chairman.*) You have been a Member of the Viceroy's Council?—Yes.

The sphere of Directors and Inspector-General's work should be confined to the supervision of subordinate officers' work; they should act like far-sighted experts, and not like fault-finding critics. The provincial inspectors have, no doubt, a greater experience of the works and ways of their own province than the Inspectors-General. They should pay a greater regard to the general principles which can be applied to the whole country. For example, the Director-General of Land Records and Agriculture should pay his attentions most to the rules and methods which are generally applicable to the state of cultivation in India, and it should be left to the provincial Directors of Agriculture to devise means for the improvement of the agricultural conditions of their own provinces without paying any attention to such directions of the Director-General which do not suit the state of their own provinces. I would rather advise that the posts of Inspector-General and Director-General, however, should be abolished. The Secretaries of Government in various departments can very conveniently and without detriment to their other works take charge of the little supervision and superintendence which these Directors-General and Inspectors-General are expected to do.

Local Governments should not be forced to be guided in their administration by the rules that can fairly be applied to other provinces but not to their own; greater scope and discretionary powers should be given to them.

The right of appeal already given should not be curtailed, and it would be rather anomalous for an authority against whose order an appeal is going to be filed, to certify as to there being sufficient grounds for an appeal. In cases of appeals to His Majesty's Privy Council such a certificate is required, but there have been cases in which such a certificate was refused by the Honourable Judges of the High Court; but their Lordships of the Privy Council were pleased to make the order and gave sanction to appeal.

There are cases to be found where an otherwise qualified proprietor is totally unfit to manage his estate, and falling in the hands of unscrupulous and unprincipled associates, becomes a source of ruin to his estate, and, finally, dies starving and leaves nothing to his representatives out of his once flourishing estate. The Collector should be given absolute power to take the estate of such an unqualified proprietor under his direct management, and the Board of Revenue as the Head of Department should not confine their judgment in this matter to the rigid rules of procedure prescribed by the Court of Wards Act, and should give the estate to the management of the Court of Wards.

No doubt there is a decrease in the influence of the Commissioners, and their powers have been much confined. The case of appointment can be mentioned here as an illustration. The Commissioners have the only powers left that they can forward a report of recommendations which is often rejected, or the higher authorities have their own nominees to select from. It is not long ago when the Commissioners had the power to appoint naib-tahsildars and tahsildars, but now they have no hand in such appointments. The natural consequence is that some really deserving and qualified persons are left in the background. The Commissioners should be given all the powers which they once enjoyed.

Under the existing rules and practice the District Officers seldom have opportunities to come in contact with the public of the district. The apparent causes of this separation are insufficient knowledge of the district; difference between the European and the Indian means, manners, and etiquette; and want of time for the District Officers. The people of India, it is well known, have always been King-worshippers; they attach a sanctity to the personality of the Sovereign, and a little kindness of language and courtesy of manners can win their hearts for ever. A smiling face from the *Bara Sahib* pleases them more than anything else, and if the District Officer exchanges a few words with the *mukhia* of the village, then the whole village is at his service, and the benefits of the British rule will next day be sung in the most humble cottage of the village. Much depends upon the conduct and manners of the District Officer. The District Officer is the representative of the Sovereign in the district and his action and words are not attributed to the persons from which they emanate, but they are the words and actions of the Empire, rather of *Badhshah* himself. If the District Officer by the kindness of heart and politeness of manners succeeds to win the hearts of those under him, and this example be followed by his other subordinates, then no amount of preaching and seditious lectures can take back the loyalty which the District Officer has hammered into their heart by his personal urbanity.

The District Officers pay little attention towards learning the vernacular of the district because they are surrounded by English-knowing officials, and they seldom find opportunities to have recourse to it and it alone. This can be remedied by making the knowledge of the vernacular of the district compulsory in the Civil Service and departmental examinations.

The work of the Deputy Collectors is very heavy. In addition to the already heavy judicial work before them, they have to do an enormous amount of miscellaneous works. Sometimes the Deputy Collector's whole time is taken up by the hearing of criminal cases, and without prejudice to the qualities of the present Deputy Collectors, they are so hardpressed by the present heavy work that they are obliged to work rather too hastily, and the result is that sometimes a case is speedily disposed at the expense of justice. For these reasons one more Deputy Collector should be added to each district.

The transfers of officers are unnecessarily frequent, which means that as soon as an officer becomes acquainted with the people and country under his charge and before the public can derive any advantage from his experience, he is transferred to another district where he is quite new, and a new man comes in his place. This means detriment to the public work and unnecessary trouble to the officer. I may suggest the following remedy to remove this defect:—

(1) As there is arrangement for a particular number of officers in the district, in the same way there should also be fixed a certain period during which the officer should not be transferred, while he remains in his present grade.

(2) In all other cases the minimum period during which an officer may be transferred should be fixed at eight years.

(3) After this period of eight years, as far as possible, he should be transferred to the division of the district in which he is at present appointed.

The powers of the District and the Municipal Boards in matters connected with the physical health and sanitation of the district should be increased. Exceptions should, of course, be made in the case of the advice of the professional Medical Officers. The Board should have complete powers of superintendence, and, in case of necessity, also power to inflict such departmental punishment on defaulting officials as the nature of the offence requires. So long as the Board be not invested with the power to punish, its authority will be in name only.

It is not necessary to organise any Advisory Council for the Collector and the Commissioner. The Advisory Council—I mean the provincial Advisory Council—can very well be turned into use by the Collectors and the Commissioners. The members of the Advisory Council residing in the district can with advantage be consulted by the district authorities, and so can the members residing in the division be consulted by the Commissioners. They can only be consulted when the requirements of the district make it necessary to consult them, and the District Officers and the Commissioners should give a consideration to such an advice. As regards the matters in which members should be consulted, it depends upon the discretion of the District Officers and the Commissioners and the state of the district or division.

The District Board is a representative body formed by election, the electorate being the members of the respective wards, and so is the Municipal Board an elected body. It will be rather unfair to give one representative body preference over the other; this will give rise to an unwholesome spirit of rivalry and competition. The President of the District Board should of course have general power of superintendence and supervision over the district, as well as the Municipal Boards.

31911. You think that the post of the Inspector-General of Agriculture should be abolished. Have you been much in touch with the Director-General?—Yes, I often come in contact with him. When he visits my district I generally see him and I know his work.

31912. Are you talking of the provincial or imperial Director?—The Director of these provinces.

31913. Does the Director interfere in any way with the agriculture of the province or what is the exact complaint you make?—I have no particular complaints, but as the Director-Generalship in India has been created the Director-General has not sufficient opportunity of knowing the state of affairs of each province; this appointment should be abolished; how can he know the whole of India?—In every province there are different methods of agriculture.

31914. Does the Commissioner of the division in which you live often come and consult you about local matters?—Yes, whenever he requires he consults me.

31915. And you discuss questions of local importance?—Yes.

31916. Would you prefer to consult with the Commissioner in that private way, or to be a member of an Advisory Council where you would have to meet other gentlemen and speak before them?—I am in favour of Advisory Councils; it would be better to discuss in the presence of others.

31917. You would like to be consulted formally rather than privately as you are now?—I would prefer to be formally consulted. Everyone would give his evidence freely at the Advisory Councils and that would be better than private consultation.

31918. With regard to Court of Wards estates, are the proprietors of estates content that the Commissioner, in everything but perhaps the sale of an estate, should be the final Court to deal with estates taken under charge of the Court of Wards?—Yes, if more powers are given to the Commissioner, it would be better.

31919. Would they be satisfied also that the Collector should deal finally with the smaller estates?—Commissioners should deal finally with them.

31920. Not the Collector?—No; the Collector should have power to take estates under the Court of Wards.

31921. You say that the minimum time during which an officer should be kept in a district is eight years. Should that be the maximum time, or should the officer be allowed to stay as long as Government chose to keep him?—If Government chose to keep a man longer it may do so.

31922. Do you see much of the District Officers?—Yes, a good deal.

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31923. You have always been treated with consideration by them?—Always.

31924. Have any of your friends made complaints that they have not been so treated?—I never heard of such a thing.

31925. Is it possible that there should be more intercourse between the principal gentlemen of the district or division and the Indian residents?—It rests with the Commissioner and Collector; no one can force it.

31926. Is it possible, social conditions being what they are?—It is possible. Some District Officers have shown that they are fond of it and they have it; others are not fond of it and they do not have it.

31927. (*Mr. Dutt.*) You do not wish the rights of appeal to be curtailed; what are your reasons?—When there is a right of appeal then officers are careful in passing an order, and if they make a mistake it can be remedied by the Appellate Court.

31928. You wish that the power of appointment of naib-tahsildars and tahsildars should be given to Commissioners of divisions; what are your reasons?—The Commissioner and District Officer know the people in their province and district better than the Board can possibly know.

31929. Do you desire that Deputy Collectors should be appointed by the Local Government as at present?—Yes.

31930. Some tahsildars are promoted to the rank of Deputy Collectors; do you approve of that?—Yes.

31931. Do you think that the larger number of Deputy Collectors should be appointed direct or by promotion from the rank of tahsildars?—I would have a larger number appointed direct.

31932. (*Mr. Hichens.*) You are not in favour of Advisory Councils to Commissioners and Collectors?—I am not in favour of having them for Collectors, but for Commissioners I would like it. Collectors generally consult, and therefore they do not want a formal Council.

31933. Are the leading men of the district ready to go on the District Boards?—They do not like it on account of the election, which is very troublesome.

31934. That is the reason why the leading men do not care to go on the Boards?—Yes; for that reason I advocate no Advisory Council for the Collector, because irresponsible and ordinary men would come in and the Collector would not get any real assistance from them.

31935. (*Mr. Meyer.*) You say that when a landholder has failed to manage his estate properly, the Collector should have the power of taking it under management. That is a matter on which there may be a difference of opinion; the owner of the estate may think he manages it very well and somebody else may think he does not; is the Collector to decide?—The Collector should decide it, but the zamindar should have a right of appeal.

31936. Even in the case of a great estate, would you put the decision in the hands of the Collector?—Certainly; in fact, big estates are more ruined and mismanaged than smaller ones.

31937. The Government now appoints Second and Third Class Magistrates and Honorary Assistant Magistrates; would you like to see that power given to the Commissioner?—No.

31938. Would you like the Sub-Divisional Officer to live in his own sub-division so that he might go more among the people?—No, I am not in favour of that.

31939. You think they see enough of their sub-divisions as it is?—If they wish they can know the people.

31940. You say the work of Deputy Collectors is very heavy; might not the work be reduced by giving more powers to the tahsildars?—It is not possible.

31941. Might it be reduced by giving the Deputy Collector power to dispose of matters himself that he now has to send up to the Collector about?—But the Deputy Collector's work would not be decreased by that means.

31942. Is it not easier to dispose of a thing oneself than to get the permission of a superior officer?—The Deputy Collectors have so much of their own work that they cannot do any other work which may be delegated from the Collector. It will obviate delay but shall not lighten it.

31943. (*Sir Steyning Edgerley.*) With reference to the overwork of Deputy Collectors, does that apply also to the Assistant Collectors and other officers?—Yes.

31944. (*Chairman.*) You have spoken here about difference between Indian and European manners, means, and etiquette; would it be possible in a province like this to get sufficiently full information about the social customs and etiquette of Indian gentlemen to prevent officers when they first come out from England making serious social mistakes and giving offence?—Yes, it is possible if a book is written.

31945. Would any one be in a position to write such a book or to give such information?—Some European should write it so that it might be acceptable to Europeans.

31946. But would any European have the knowledge to write it?—Mr. Butler, Foreign Secretary, knows it all.

(*The witness withdrew.*)

Mr. L. M. KAYE was called and examined.

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31947. (*Chairman.*) You are the Superintendent of Police in Bijnor?—Yes.

I do not recommend any extension of the powers regarding matters of general administration as far as they affect the Police Department being given to Commissioners or Deputy Commissioners.

The rules for the Police Department regarding appeals have recently been revised and I do not recommend any further alterations.

Executive Officers should have more opportunities for mixing with the people. This can only be brought about, however, by giving them greater freedom from routine work. The only suggestion I can make is that the number of subordinate posts be increased to permit of this.

As a whole, Executive Officers possess sufficient knowledge of the vernaculars.

The reforms recently advocated by the Police Commission, which are gradually being introduced, allow for a sufficiently large staff. The fifth post of Deputy Inspector-General, however, recommended by the Commission, should be created at once, as there is too much work for the four Deputy Inspectors-General at present sanctioned, and the creation of new railway lines and extension of the Criminal Investigation Department make it impossible for a single Deputy Inspector-General to exercise the supervision required by both these branches of the police force.

I do not recommend any general reduction in the area of district or other charges.

All the higher posts in the revenue and other departments should be given to specially selected officers, and that seniority should by itself give no claims to such posts

Transfers are much less frequent now than they were a few years ago before the introduction of the new leave rules, and are not now unnecessarily frequent.

31948. Have you been there for some time?—No, I have only just gone there; I have been Personal Assistant to the Inspector-General for over four years.

31949. Is the transfer of police officers very frequent?—Not nowadays; of recent years there have been much fewer transfers than formerly.

31950. What is the period of time a Superintendent of Police stays in the district?—For Gazetted Officers,

I should say about three or four years now on the average; subordinate officers do not get very many transfers.

31951. Is there any length of time which is regarded as an ideal period that an officer should stay in the district?—I should say a minimum of two years.

31952. And on a maximum?—There is no maximum. I was five years in Bareilly, and I should have stayed there longer but circumstances necessitated my going elsewhere.

31953. Have you considerable relations with the Commissioner and the Collector?—Yes.

31954. Are they altogether, speaking purely officially, satisfactory?—Quite.

31955. The Collector does not interfere in the interior economy of the force?—No, not at all; the rules have recently been relaxed in regard to that in favour of the Superintendent of Police.

31956. If you wish to appoint an inpectors to a place, have you a free hand or do you consult the Commissioner?—The Commissioner is not consulted upon that at all. Such postings rest with the Inspector-General; the Commissioner is only *ex officio* a Deputy Inspector-General; that is the relation between him and the Superintendent of Police.

31957. It was stated that in one province there were difficulties with the Commissioner with regard to the posting and transfer of inspectors; do you find that that is so?—No; in this province the Commissioner has nothing to do with such postings.

31958. If you wished to remove an inefficient inspector or head constable can you do it?—A head constable I can deal with myself, but as to any officer above that rank I have to receive the Magistrate's approval and the Commissioner's sanction. An inspector can only be punished by the Inspector-General.

31959. Do you regard that as satisfactory?—Yes, quite satisfactory.

31960. Supposing a head constable or an inspector has to be remanded or otherwise punished, are there two channels of appeal or only one?—There is only one now and that is from the Deputy Inspector-General to the Inspector-General.

31961. It does not touch the District Magistrate?—No.

31962. Do you ever come across the operations of the Director-General of Criminal Intelligence?—Not in the district, but as Personal Assistant I saw something of them.

31963. Have you anything to say as to him?—I do not think so. The post has not been in existence very long; only about two years.

31964. During that time did any of his work touch the Inspector-General of Police here?—No, not ordinary work. In connection with coining an officer was lent him from these provinces, and in so much as that officer was under him we had correspondence with him and in connection with certain other cases.

31965. There is no case in your recollection which has occurred in which your Inspector-General has had any reason to complain?—No, none at all that I know of.

31966. He does not interfere in any way with the administrative action of the Inspector-General?—Not at all.

31967. When you are transferred as a District Superintendent from one district to another, do you get expenses?—We get the fixed rates of travelling allowances, but they do not nearly cover the expenses.

31968. Do they cover your own personal expenses?—No, they do not even cover personal expenses.

31969. (*Sir Steyning Edgerley.*) Is there a considerable or a serious deficiency?—I should think they did not cover 60 per cent. as a rule.

31970. Whom does the Director of Criminal Intelligence generally correspond with when writing to the United Provinces?—With the Inspector-General or the Deputy Inspector-General in charge of the Criminal Investigation Department.

31971. Is the correspondence strictly confined to the tracing of crime and matters of that sort?—Yes.

31972. Has the recent re-organisation emancipated the District Superintendent a good deal?—Yes, considerably.

31973. Has he now ample powers to run his own district?—I think he has.

31974. What is his actual technical position in the district; is he an assistant to the District Magistrate or not?—No, not under the new scheme; and his actual position depends a good deal on the relations between the two officers.

31975. What is the technical, official strict definition of the relationship?—The Magistrate in matters of crime is looked on as the local Head of the Police; to that extent the District Superintendent is an assistant, but not in departmental matters.

31976. He is not designated by any rule or regulation as an assistant to the District Magistrate?—Not now; that has been cancelled.

31977. Formerly did appeals from head constables go to the District Magistrate?—Formerly the District Magistrate had to approve of the actual punishment.

31978. Now does the District Superintendent of Police punish those grades without reference?—Yes.

31979. And an appeal goes to the Deputy Inspector-General?—Yes.

31980. So that really the District Magistrate's position has been materially affected as regards the police.—It has.

31981. Is it now formally laid down anywhere that the Commissioner is *ex officio* a Deputy Inspector-General?—Yes, I think the term is actually included in our manual.

31982. That is to say, he is made subordinate in police matters to the Inspector-General?—Yes, for police matters.

31983. And the Inspector-General is usually junior to him in the service?—The present Inspector-General is senior to several Commissioners and at the revised rate will be equal to that of a Commissioner; his pay will rise to the same as that of the Commissioner.

31984. Is the Commissioner's pay Rs. 2,500 rising to Rs. 3,000?—No, it is Rs. 3,000.

31985. Then the Inspector-General's pay is less than that of the Commissioner?—The average pay is less.

31986. Does the re-organisation give you all you want in the district?—Yes, I think everything we want.

31987. Did you think so at the time, or have you grown to be satisfied with it since?—I thought so at the time; I gave evidence before the Commission.

31988. You mention that the new leave rules have had an effect in diminishing transfers. Would it be better if the power to accumulate privilege leave were carried even beyond three months?—I do not think that would seriously affect the position. It takes three years to earn three months' privilege leave.

31989. But are Police Officers in a position to go home every three years?—Under the new rules I think so when they have become entitled to furlough.

31990. Supposing an officer could accumulate leave up to four or five months, he would be likely to stay on so as to get a little longer?—I do not think so—only junior officers.

31991. Have you enough help in the shape of Gazetted Officers?—Yes, I think; when our *cadre* is complete we shall have a sufficient number of Gazetted Officers.

31992. Has not the Commissioner's position been considerably affected by the re-organisation?—Yes.

31993. That is to say that the Police Department is practically split off from the old position of solidarity with the Commissioner and Collector?—Yes.

31994. (*Mr. Meyer.*) Under the new system the Commissioner of the division is not really in any way subordinate to the Inspector-General of Police?—Not as a Commissioner.

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31995. Therefore what is the object of calling him a Deputy Inspector-General?—Perhaps to keep up his interest with the police of his division.

31996. Do you think it pleases him?—I think it does.

31997. As regards privilege leave the object is supposed to be to keep an officer fit for his work?—Yes.

31998. The idea originally was that he should take one month every year, but he is now allowed to accumulate up to three?—Yes.

31999. If you are allowed to accumulate more than that, do you not think there is a risk of an officer breaking down owing to want of rest?—Yes, I do think so.

32000. I see you propose that the Inspector-General should be allowed to grant privilege leave to Gazetted Officers for periods not exceeding three months and make the arrangements entailed thereby; does that mean giving the District Superintendent leave in one district, and moving a man from another district to act for him?—Moving an Assistant probably to officiate.

32001. Not transferring another District Superintendent?—It would be very seldom that a District Superintendent of Police would be transferred in connection with a privilege leave vacancy.

32002. Ought not the Local Government to have a say as to who is to be the responsible police officer in a district?—Yes, it is a matter for them distinctly, but the Inspector-General, if he knows his officers, can deal with it.

32003. You say also that the Inspector-General should, under article 421 of the Civil Service Regulations, convert absence without leave into leave without allowances; is that for pension purposes?—Yes.

32004. What power has the Inspector-General in the matter of pensions at present?—He has only got powers as to pensions up to the sub-inspector grade.

32005. Does he appoint inspectors?—Yes.

32006. Might the general rule not be that the officer who appoints a man might grant his pension subject to the Accountant-General certifying that everything is in order?—Yes.

32007. As regards travelling allowances, you say they are not sufficient even for a bachelor in the case of transfer, but in ordinarily moving about your charge are they sufficient?—Yes, I think so.

32008. Are there not cases where a man might make a slight profit out of his travelling allowance?—Such cases have been known.

32009. Taking one with the other, are you much out of pocket on the whole?—I think on the whole we lose.

32010. You say that you are not now assistant to the District Magistrate in any way, but are you not under his orders still in such a matter as regulating processions or anything affecting the peace of the district?—The Police Act has not been altered at all, and so far as the Act lays it down we are subordinate.

32011. What is the idea of the Local Government as to that?—I think the idea of the Local Government is to leave the Superintendent of Police under the Magistrate as far as regulating crime or processions is concerned.

32012. He will practically be an assistant to the Magistrate in those matters?—Yes, he is bound to be.

32013. If you want to dismiss a sub-inspector, do you have to get the concurrence of the District Magistrate?—Yes, that is so.

32014. Do you consult the Magistrate in the matter of posting your sub-inspectors?—Yes.

32015. But not inspectors?—No, the inspectors are posted by the Inspector-General.

32016. How many inspectors have you in a district?—There are six here; this is a large district; there are three or four in most districts.

32017. Does the Inspector-General regulate the positions of these six men, putting one in one part of the district and another in another?—No, at the present time there are different kinds of inspectors, they are not all on one list. There is the prosecuting inspector, only one for a district; there is the reserve inspector, only one; there are two or possibly three circle inspectors, and those three the district authorities would post to the various circles.

32018. They are the men who are really the link between you and the sub-inspectors?—Yes.

32019. And you have the right of dealing with their charges as you think fit?—Yes.

32020. Is the District Magistrate consulted?—No, he is not as a rule. Of course they are fixed circles.

32021. Supposing he tells you that in the course of his tours he has come to the conclusion that inspector X is not doing much good where he is and that he thinks he ought to be changed, would you accede to his wishes?—I certainly should if I agreed with him.

32022. Have you anything to do with village police?—Yes, a considerable amount.

32023. Do you have anything to do with their appointment?—Yes. The Magistrate has authorised me in my district to make the appointments under the Act, as he can do.

32024. Is that general?—I think so in these provinces.

32025. The law vests the power in the Magistrate?—Or in such an officer as he may appoint.

32026. Do you know that the Police Commission laid stress on the desirability of not making the village police in Bengal a branch of the regular police?—Yes.

32027. What was said about these provinces?—I do not think there are any special remarks on the subject.

32028. You do not think you are under any such reproach as in the case of Bengal?—No, I think not.

32029. (*Mr. Hichens.*) You say that the appeal rules have been altered lately; what is the principle which has now been adopted?—That there should be only one appeal as far as possible.

32030. The man who dismisses would be the man who appoints?—Yes.

32031. And there is one appeal above him?—Yes.

32032. Appeals no longer go through the Commissioner?—No.

32033. Is that a change?—Yes.

32034. Is it working satisfactorily?—It is a very recent rule, but I think it is working satisfactorily.

32035. (*Mr. Dutt.*) In matters of criminal investigation should the Magistrate or the Commissioner have anything to say in regard to questions of appeal? When a man has been dismissed for mismanaging a case, ought the Magistrate who tries the case have anything to say in the matter of the disposal of the appeal, if any?—I think he should be asked to record his opinion.

32036. Can you tell us exactly what the practice is?—The practice is that he does not; I think he should.

32037. Who is the police officer in charge of a *tahsil*?—A *tahsil* is not the unit for police. A circle will probably include three *tahsils* and an inspector is in charge. A thana will probably be one of six police stations in a circle.

32038. Would the thana limits be the same as the limits of a *tahsil*?—They hardly ever are.

32039. Does not that give rise to inconvenience in working?—No, none at all.

32040. The police officer in charge of a thana is a sub-inspector?—Yes.

32041. And all the cases are now enquired into by sub-inspectors and not by head constables?—Yes.

32042. (*Sir Frederic Lely.*) What is the average age at which a man gets charge of a district as a permanent Superintendent?—After about eight to ten years' service, and probably it would be longer before he gets charge in the immediate future because we have a bad block on at present.

32043. At present a Superintendent gets full charge of a district some years earlier than a Civilian gets charge of a district as Deputy Commissioner?—Yes.

32044. Are your present men as a body equal to their position?—Yes, I think the Gazetted Officers are.

32045. As a matter of fact, does the Commissioner ever do anything as Deputy Inspector-General of Police?—He visits the police stations and records his remarks; that is all he does.

32046. I understand the District Magistrate takes a constant interest in police work?—He does.

32047. But beyond, for instance, ordering the Superintendent to patrol a certain road or to reduce or increase the number of police in a certain part of the district, he does not interfere?—The increase or decrease he could certainly control.

32048. Has he power to do that, quite apart from your personal relations?—Yes.

32049. I do not quite understand what is the ground on which you say the Superintendent has ceased to be the assistant of the District Magistrate; have any formal orders been passed on the subject?—No, but he was formerly definitely stated to be his assistant; that has been withdrawn and in matters of internal economy of the police the Magistrate has very little to say.

32050. And other definite orders have not yet been substituted?—No.

32051. Are the police in these provinces employed on any outside work, such as collecting statistics or making enquiries for Civil Officers?—Not in making enquiries for Civil Officers, but they have to deal with the registration of all births and deaths.

32052. Have you any objection to that?—I should like to see it taken away from the police if some other agency could be found.

32053. Do they do anything else outside their own routine work?—They do excise work; they take action on reports of breaches of the Excise Acts.

32054. Are excise offences treated as part of the ordinary crime of the district?—Yes. *Mr. L. M. Kaye.*

32055. Are they expected to do any other things in the way of preventive work, such as the inspection of liquor shops for instance?—They are supposed to inspect shops. 18 *Feb.*, 1908.

32056. Is that legitimate police work?—I do not think it is.

32057. Is there anything else of that kind which occurs to you?—The licensing of hackney carriages in a place like Agra is made over to the police.

32058. Is there a chaukidari cess?—Yes.

32059. They are not supported by the village but by a cess levied by order of the Government?—Yes.

32060. Would you call them Government servants or village servants?—Government servants.

32061. Are they recognised as Government servants?—Yes.

32062. You suggest that they should come under your supervision and cognizance?—Yes.

32063. Have you power to punish them?—No, the Magistrates only have power to punish them.

32064. Has the Sub-Divisional Officer in charge of a sub-division any responsibility in connection with the police?—None at all.

32065. Would he be expected to examine a police station?—If he got orders to do so from the District Magistrate, not by virtue of his office.

32066. Do you not think to some extent his co-operation would be of assistance?—Yes, it is in most districts in force in the matter of inspecting police stations.

(*The witness withdrew.*)

Adjourned.

APPENDICES.

I. Note on the present Organization of Government in the United Provinces, filed by the Hon. Mr. Holms, Chief Secretary.

II. Note by His Honour the Lieutenant-Governor of the United Provinces for the Royal Commission on the subject of Decentralization, dated 18th January 1908.

III. Letter from the Chief Secretary to Government, United Provinces, to the Secretary to the Royal Commission on Decentralization, No. 90/III—378, dated the 13th January 1908, containing the suggestions of the United Provinces Government in the matter of decentralization.

IV. Extract from a letter from F. L. Petre, Esq., Joint Secretary to the Board of Revenue, North-Western Provinces and Oudh, to the Chief Secretary to Government, North-Western Provinces and Oudh, No. 1519-N/XII.-458, dated the 12th September, 1893, suggesting the abolition of the Board of Revenue as such, and its incorporation as part of the Local Government.

APPENDIX I.

Note on the present organization of Government in the United Provinces.

As elsewhere in India, the unit of administration is the district, the sub-divisions of which are know as tahsils. There are forty-eight districts with an average population of one million and an average area of 2,232 square miles, each consisting on an average of five or six tahsils. Each district is in charge of a District Officer, known as Collector and Magistrate in the province of Agra, and Deputy Commissioner and Magistrate in the province of Oudh. He is assisted by a staff of Assistant Collectors and subordinate magistrates, who are, as a rule, placed in charge of sub-divisions of districts. As his twofold appellation indicates. the District Officer is the principal revenue official and chief magistrate. As Collector he is responsible for the collection of the land and other revenue and of assessed taxes; he is in charge of the local administration of excise, of income tax, stamp duty, and other sources of revenue; he supervises the preparation and maintenance of land records and the compilation of periodical returns of produce, prices, wages; he makes loans on behalf of Government for agricultural purposes; he has charge of the private estates managed by the Court of Wards in trust for minors and other persons.

He supervises the work of the revenue and rent courts and distributes this work amongst his Assistant Collectors. He hears appeals under the Land Revenue Act from all Assistant Collectors and under the Rent Act from Assistant Collectors of the Second Class.

He appoints all revenue officials whose pay does not exceed Rs. 50, and can transfer all officials, including naib-tahsildars and tahsildars, from one *tahsil* to another.

As District Magistrate he has the powers of a First Class Magistrate, but does not in practice try many original cases. He supervises, however, the work of all subordinate magistrates, and has conplete control over the distribution of work amongst them. He hears appeals from Magistrates of the Third and Second Class.

The District Police is directly under the control of the Superintendent of Police, who is responsible for its working and discipline, but the District Magistrate, as head of the criminal administration and responsible for the peace of the district, exercises a general control through the Superintendent of Police. The village and road police are under his control, the power of appointment and of punishment resting solely with him.

The municipal government of all considerable towns is vested in a committee of the inhabitants, who raise taxes (sanctioned by the Local Government) and expend the proceeds on roads, sanitation, water supply, medical relief, education, and other public needs. The Collector is almost always the Chairman (usually elected) of the committee and is the guiding and controlling influence in the working of these bodies.

Every district has a District Board (partly nominated but mainly elective), which builds and maintains all local roads, primary and secondary vernacular schools, high schools, and dispensaries and carries out arboricultural operations on local roads and sanitary improvements in rural areas from funds partly derived from local rates and partly from provincial contributions.

The Collector is *ex officio* the Chairman and Executive Officer of the Board.

The forty-eight districts of the provinces are grouped into nine divisions, at the head of each of which is a Commissioner. The hill division of Kumaun and the Gorakhpur division each consists of three districts only, the other seven divisions consisting on an average of six districts each.

The Commissioner supervises (by tours, inspections, and correspondence) the revenue and general, and to some extent the police, administration of the districts in his division, He reviews the annual revenue administration report of each district in his division, and reports on the character and work of all Deputy Collectors, Joint-Magistrates, and Collectors. He reviews the annual reports of each estate under the Court of Wards, passes the budgets of the smaller estates, and forwards others to the Board of Revenue with his criticisms and comments. He reviews the annual reports and passes the budgets of all municipalities and is the channel of communication between these and the Government.

He reviews also the annual reports of all district boards.

He has powers of administrative sanction as regards works carried out by the Public Works Department up to a limit in the case of provincial works of Rs. 500, of Rs. 1,000 in the case of local works, of Rs. 2,000 in the case of municipal contribution and famine works.

He has funds at his disposal for allotment among the districts of his division for the following purposes:—

(1) Land improvement loans.
(2) Plague charges.
(3) Petty projects.
(4) Temporary and emergent district establishments.

He appoints all head clerks in district offices and all treasury head clerks. He hears appeals against orders of dismissal and in certain cases of reduction passed by district officers, and his concurrence is necessary to the dismissal of a sub-inspector of civil police.

Finally, he is an appellate court hearing appeals under the Rent Act from Collectors and Assistant Collectors of the first class in certain kinds of cases, the remaining appeals lying to the District Judge.

A great deal too much of his time is unfortunately occupied by these appeals, and the magnitude of his work under this head may be judged by the following statistics:—

Appeals disposed of by Commissioners during the year 1905–6.

Division.	Appeals in Agra under the Agra Tenancy Act and in Oudh under the Oudh Rent Act and in Kumaun under the Kumaun rules (rent).	Under the United Provinces Land Revenue Act or under the Kumaun rules (revenue).
Meerut	720	311
Agra	636	372
Rohilkhand ...	1,381	365
Allahabad	346	164
Benares	788	249
Gorakhpur... ...	554	423
Lucknow	464	277
Fyzabad	798	273
Kumaun	11	64
Total ...	5,698	2,498

Total appeals heard by Commissioners—8,196.

For the department of Excise there is a separate Commissioner. Excise is one of the departments controlled by the Board of Revenue, but, subject to the superintendence of the Board, the responsible direction of the department is entrusted to the Commissioner, who sanctions all settlements under the Excise and Opium Acts; sanctions remissions of all irrecoverable balances not exceeding Rs. 500; all refunds, rewards to informers and captors up to Rs. 500 in each case; determines the numbers of shops, wholesale and retail, to be allowed in each district and their allocation; sanctions the appointments, transfers, punishments of all excise officers up to the rank of inspector, and generally controls the action of district officers in the administration of excise revenue.

The Commissioner of Excise also holds the post of Inspector-General of Registration. The District Judge

(and in Kumaun the Deputy-Commissioner) is the Registrar under the Registration Act for the districts within his jurisdiction, but the bulk of the work of registration is done by the sub-registrars subordinate to him.

The main duties of the Inspector-General are concerned with the inspection of registrars' and sub-registrars' offices, amendment of rules, transfers of sub-registrars, and the general supervision of the working of the department.

The post of Commissioner of Stamps is also held by the same officer. His principal duties are connected with the amendment and drafting of rules for the licensing of licensed vendors, the discount to be allowed to these, &c., the provision of stamps to district treasuries, and the general superintendence of the local administration of the department.

In the department of Land Records there is a Director, who is also Director of Agriculture. As Director of Land Records this officer is controlled by the Board of Revenue. As Director of Agriculture he is directly subordinate to the Local Government.

As Director of Land Records he is concerned with the interpretation and amendment of rules, the inspection of land records, control of budgets, sanctioning of staff, scrutiny of reports and returns. He is assisted by a Deputy-Director. Provincial surveys are also under the Director of Land Records. He is assisted by a Deputy-Director, but the programme of work is at present exhausted, and the appointment of this officer terminates shortly.

The Agricultural Department is in process of organization. At present the gazetted staff consists, besides the Director, of two Deputy-Directors, the Principal of the Agricultural College, an Economic Botanist, and an Agricultural Chemist. The province is being divided into circles, each of which will eventually have a Deputy or Assistant Director, who will advise and assist the public. The general supervision of the whole department rests with the Director.

Apart from the above-mentioned duties, the Director is also in charge of the system whereby the Government receives timely intelligence of the approach of scarcity, and supervises and compiles agricultural reports and returns. He controls the two superintendents of the Veterinary Department (who are concerned mainly with sanitation); he controls two of the Government gardens, and supervises the arboricultural operations of District Boards and the Public Works Department, and the registration of foreign and inland trade.

The Board of Revenue consists of two members, a senior and junior. It has two Secretaries and a junior or Under-Secretary. The Board is (under the Local Government) the controlling and supervising authority in all matters connected with the revenue administration, of which the most important are—

(1) the collection of land revenue, local rates, canal rates, excise and stamp revenue, and income tax;
(2) suspensions and remissions of land revenue, local rates, canal rates, and remissions of excise license fees;
(3) settlement of land revenue;
(4) excise administration;
(5) the working of the revenue and rent courts;
(6) loans for agricultural purposes;
(7) appropriation of land;
(8) land records;
(9) revenue establishment;
(10) Government properties and estates under Government management;
(11) pensions;
(12) miscellaneous revenue matters, such as budgets and maps.

In addition the Board is the Court of Wards for the province, and, subject to the control of Government, has complete authority as regards the management of all estates of which charge has been assumed under the United Provinces Court of Wards Act.

The Board transfers all revenue officials up to and including tahsildars from one division to another; appoints naib-tahsildars, by promotion of subordinate revenue officials, and excise inspectors; selects for the approval of Government candidates for appointment as tahsildars or deputy-collectors or (by direct appointment) naib-tahsildars; dismisses naib-tahsildars and excise inspectors and hears appeals from orders of dismissal in certain cases passed by Commissioners.

Finally, the Board is the supreme court of appeal under the Revenue and Rent Acts. The following statement shows the number of appeals and revisions disposed of by it in the year 1905–6:—

Appeals under the Agra Tenancy and Oudh Rent Acts	656
Revisions under the same Acts ...	729
Cases under the Kumaun Rules ...	12
Appeals under the United Provinces Land Revenue Act	466
Revisions under the same Act ...	111
Appeals under the regulations of the Family Domains of the Maharaja of Benares	61
Total	2,035

It will thus be seen that each member disposed of about 1,000 appeals and revisions during the year.

As regards the distribution of work amongst the members a few words may be said. Judicial work is divided by commissionerships or districts, each member in the first instance dealing with appeals and revisions arising from specified local areas: the concurrence of both members is, however, necessary to the revision or amendment of the lower court's decree.

Non-judicial work is divided by departments, the distribution varying according to the composition of the Board. In practice though this is not required by law, the more important questions of policy or rules or general questions referred for the Board's consideration by Government are dealt with by both members.

In selecting candidates for tahsildarships and naib-tahsildarships, the Board sits as a committee. In selecting candidates for deputy-collectorships they usually act in consultation.

The general organization of the Public Works Department is the same as that in other provinces. The department is divided into (1) the Buildings and Roads Branch and (2) the Irrigation Branch, each of which is administered by a Chief Engineer, who is also a Secretary to Government.

In the Buildings and Roads Branches the charge unit is the district. All works in each district are carried out by the District Engineer (or Surveyor) working under the orders of the Executive (or Divisional) Engineer, who is responsible for the proper execution of every work or building. Hitherto the charge of an Executive Engineer has been (except in the case of the Allahabad division, which is sub-divided into two executive divisions) a group of districts corresponding with a Commissioner's division, but the size of these charges has just been considerably decreased. Divisions, again, are grouped into three circles, each in charge of a Superintending Engineer. The Superintending Engineer is not concerned with the actual execution of work, but he directs the executive operations within his circle. He sanctions finally new works and additions to the extent of Rs. 2,500 for works of the classes not debitable to imperial funds, of which he or the Chief Engineer is the Departmental Head, appoints lower subordinates, and transfers and posts within his circle assistant engineers and members of the subordinate establishment.

In addition to the three ordinary circles there is a fourth circle in charge of the Sanitary Engineer. This officer advises on all projects of sanitation, and in many cases prepares the projects. His services are placed free of charge at the disposal of municipalities in so far as inspection and advice are concerned; but where a project is prepared or a work executed under his supervision a fee is charged and credited to the Government. He is aided by an assistant sanitary engineer and controls a staff engaged in the preparation of projects and the execution of works.

The Chief Engineer controls all the engineering operations in the province: scrutinizes projects, the estimated outlay on which exceeds the powers of sanction of Superntending Engineers, and as Secretary to Government sanctions all estimates over Rs. 500 (imperial funds)

and over Rs. 2,500 (provincial funds) which relate to original works, and all projects over Rs. 10,000 relating to District Boards. As Secretary to Government he prepares the budget showing the requirements for imperial military and civil works in the ensuing financial years, and in that capacity or as Chief Engineer all matters relating to establishments or promotions or discipline (where power as to these has not been delegated to Executive or Superintending Engineers) are referred to him for decision or for the orders of Government.

In the Irrigation Branch there are 21 divisions (19 revenue and two construction), each in charge of an Executive Engineer, a temporary division in charge of a manager, and four circles each in charge of a Superintending Engineer. The powers and functions of Executive and Superintending Engineers and of the Chief Engineer are the same as in the Buildings and Roads Branch.

This Branch is not concerned with the scrutiny and execution of projects received from local bodies, nor does it deal, as a rule, with projects relating to other departments.

For administrative purposes the forests are divided into two circles, each under the control of a Conservator. These, again, are sub-divided into divisions under deputy, assistant, extra deputy, or extra assistant conservators, and the sub-divisions of these divisions into ranges under rangers, assisted by foresters. The relations of the Forest Department with the people are controlled by the revenue officers under the authority of the Commissioner. The departmental control rests in his circle with the Conservator. The Inspector-General of Forests corresponds with Conservators, but may not, except as regards working plans, issue instructions to them.

The Conservator supervises the exploitation and improvement of the forests in his circle, the supply and sale of forest produce, the arrangements to meet the requirements of the agricultural community. He has wide powers of control in respect to the subordinate forest establishment; he appoints rangers and deputy-rangers, and makes promotions amongst deputy-rangers, promotions amongst rangers being made by both Conservators in consultation; appoints and promotes all foresters; controls the inter-divisional distribution of the whole subordinate forest establishment; and is authorized to make, within the total cost sanctioned by Government, variations in the temporary establishment of the different charges.

The protected forests of Kumaun are managed by the Deputy Commissioners of Naini Tal, Almora, Garhwal, under the control of the Commissioner of Kumaun, who stands to them in much the same relation as the Conservator to his Deputy Conservators.

The Police Department is organized on much the same lines as in the rest of India. As explained above, the district police are under a Superintendent, assisted in the larger districts by Assistant Superintendents and Deputy Superintendents, and controlled as regards the detection and investigation of crime, by the District Magistrate, the Commissioner of the division exercising a general supervision.

For the police employed on railways there are three separate Superintendents.

Immediately above the Superintendents are the Deputy Inspectors-General, of whom there are four. Three Deputy Inspectors-General are in charge of "ranges," each containing a certain number of districts, and the fourth is in charge of the railway police and the Criminal Investigation Department. In the main the Deputy Inspector-General is an inspecting officer, but he has certain administrative powers, *e.g.* as regards the appointment and punishment of sub-inspectors of the armed police, and constables and head constables on his range.

The Inspector-General is the Head of the Department, is the counsellor of Government in all matters connected with this branch of the administration, and is responsible for the efficient working, in general, of the police. He has wide powers as regards the subordinate police staff; selects (from the nominees of a divisional committee or in addition thereto) candidates for admission to the police training school; appoints and posts to sub-inspectorships or inspectorships passed pupils of the school; appoints all sergeants; promotes to inspectorships; may punish all officers not above the rank of inspector; and transfers all members of the force (up to inspectors) from one district to another. Transfers of Gazetted Officers (*i.e.*, those of or above the rank of Assistant or Deputy Superintendent) rest with the Local Government, but the Inspector-General of Police is consulted in connection with these.

The judicial administration follows the usual lines. The Courts of original civil jurisdiction are those of Munsifs, Subordinate Judges, Judges of Small Cause Courts, and District Judges. The limit of a Munsif's jurisdiction in suits is ordinarily Rs. 1,000, but the Local Government can enhance any particular Munsif's jurisdiction to Rs. 2,000. In Agra Subordinate Judges can decide suits without any limit of value; in Oudh they can decide suits up to Rs. 5,000 in value, but the Local Government can confer unlimited jurisdiction on particular Subordinate Judges. District Judges rarely try original suits, but their original jurisdiction has no monetary limit.

There are five Small Cause Courts, whose jurisdiction extends to suits valued up to Rs. 500. Individual Subordinate Judges and Munsifs are also invested by the Local Government from time to time with the powers of a Small Cause Court.

Appeals from the decrees of Munsifs and from those of Subordinate Judges where the value of the suit does not exceed Rs. 5,000 lie to District Judges and above that to the North-Western Provinces High Court and the Judicial Commissioner in Oudh.

Munsifs are appointed by the Local Government on the nomination of the High Court; the appointment of Subordinate Judges and Small Cause Court Judges, and their transfers and promotions, rest with the Local Government, which, however, is guided by the recommendations of the High Court and Judicial Commissioner.

The District Judges are also Sessions Judges, with the powers and duties defined, in the Criminal Procedure Code.

In Kumaun the Commissioner is a High Court for civil cases and a Sessions Judge for criminal cases, and the District Officers and their assistants exercise the functions of courts of original civil jurisdiction.

The Educational Department consists of a Director, Assistant Director, inspectors, professors, and head masters.

As explained above, all primary and secondary vernacular schools and all high schools, with the exception of one attached to the Queen's College, Benares, are managed by the District Boards: but it is intended that from April 1st the management of the chief high school in each district shall be transferred to Government. The only educational institutions which are directly managed by the department are the two Government arts colleges, the training school for teachers, the Lucknow Industrial school, and the reformatory school at Chunar. But the department through its inspectorate exercises a general, but too indefinite, supervision over the educational work of schools under District Boards; is required to see that the rules and orders contained in the educational code regarding qualifications of teachers, reports and returns, courses of study, grants, examinations, text books, &c., are observed, and reports on the fitness of schools for departmental recognition. The powers of the department in the matter of the inspection of schools managed by local authorities are about to be extended.

The Director as the Head of the Department is concerned with all forms of general education, and at present with industrial education as well. As regards the University of Allahabad he is Vice-President of the Sydicate and the mouthpiece of Government. As regards collegiate education he is chiefly concerned with the recommendation to Government of grants-in-aid and with plans and estimates for new buildings. As regards schools his duties are more varied. Subject to the control of Government, he prescribes curricula, is chairman of the Committee which chooses text books, draws up inter-school rules and regulations, fixes fees, lays down schemes of public examinations, checks and directs the work of inspectors, examines all schemes involving expenditure

above Rs. 1,000, and makes recommendations to district boards for the appointment, transfer, or promotion of the better paid teachers.

During the cold weather and part of the rains he is engaged in tours of inspection.

The Medical Branch of the administration differs in no essential respect from that of other provinces. Each district is in charge of a Civil Surgeon, who is superintendent of the sub-dispensaries therein and of vaccination. The Civil Surgeon is also Health Officer to the District Board and inspects and controls the medical management of District Board dispensaries. Every hospital and dispensary is under the immediate charge of an Assistant Surgeon or Civil Hospital Assistant. There is a medical school at Agra, from which passed candidates are selected for appointment as Civil Hospital Assistants. The whole department is under the control of the Inspector-General of Civil Hospitals, who is responsible for its efficiency, including the administration of medical relief in times of famine and scarcity.

In the direction of measures against plague he is assisted by a Chief Plague Officer and an Assistant Plague Officer, whose appointments are at present temporary.

Sanitary administration is under a Sanitary Commissioner assisted by two Deputy Sanitary Commissioners. His duties and those of his assistants consist chiefly in advising and aiding District Officers, Municipalities, and District Boards as regards all sanitary measures and operations, special (as in the case of outbreaks of cholera) and ordinary, and in directing and controlling the special staff employed for vaccination throughout the province.

There is a Sanitary Board for the province, the functions of which are to advise the Commissioner of the division on projects of a sanitary character proposed to be executed at the cost of municipal or district funds, to give administrative sanction itself to certain larger works (over Rs. 10,000) to be executed from District Boards funds, and to advise the Government on any other matter connected with sanitation which may be submitted to it for consideration. It consists of the following permanent members, of whom three form a quorum :—

(1) The Inspector-General of Civil Hospitals	*President.*
(2) One of the two Secretaries in the department of Public Works as the Lieutenant-Governor may from time to time nominate ...	*Members.*
(3) The Sanitary Commissioner ...	
(4) The Sanitary Engineer	*Secretary.*

Of the Jail Department little need be said. There are six central prisons for the detention of long-term prisoners, which are managed by whole-time superintendents drawn from the Indian Medical Service. At four stations where there are central prisons the Superintendent is also Superintendent of the district jail. Elsewhere district jails are managed by Civil Surgeons in addition to their other duties.

The department is under the control of an Inspector-General, who is responsible for its proper working in accordance with the rules and policy laid down by the Local Government. A very large portion of his time is occupied with inspections of the numerous jails in the province.

The Local Government is the Lieutenant-Governor.

For legislative purposes the Lieutenant-Governor is assisted by a Council, partly nominated and partly elected.

In all other matters he acts on his own responsibility and, subject to such restrictions as may be imposed by law or by the orders of the Government of India, has complete control over all departments and all officers in the province.

For the preparation and submission of work to him there are five Secretaries, assisted each by an Under-Secretary, of whom two are Secretaries in the Public Works Department.

J. M. HOLMS,
Chief Secretary.

The 24th January 1908,

APPENDIX II.

Note by His Honour the Lieutenant-Governor for the Royal Commission on Decentralization.

I should like, in the first place, to draw attention to the relative backwardness of these provinces in the matter of education. The conditions here are not comparable to those in Madras, Bombay, or Bengal. Of the total population, inclusive of Europeans and Eurasians, in India 75 per 10,000 know English ; the number in the United Provinces is only 40, or, excluding Christians, 26. The number returned as literate at the last census was, over the whole of India, 105 per 1,000 ; in Madras it was 128, in Bombay 125, and in Bengal 109 ; in the United Provinces it was 59. In the cities the figures were India 308, Madras 420, Bengal 339, Bombay 324, the United Provinces 196. We may regret this state of things, but it would be very unwise to overlook it. Where conditions of education are so unequal, it is evident that there must be great differences in administrative arrangements. The educated Indian community themselves recognize this. In the draft programme for the National Congress the United Provinces, which stand second to Bengal only in matter of population, are not classed, as regards the number of representatives on both the Standing and the Subjects Committees, with Madras, Bombay, and Bengal, but with the less advanced smaller provinces such as Eastern Bengal and Assam, the Punjab, and the Central Provinces.

2. In considering the question of the directions in which decentralization of authority is possible in India there are two influences which my experience in the Home Department Secretariat of the Government of India tells me cannot be left out of account. The first is the need for keeping the Secretary of State fully informed on any matters which may come before Parliament. It may at first sight appear that this requirement does not imply any considerable amount of centralization ; but no one can foretell what subject may provide the opportunity for a question in Parliament. The Government of India must be equipped with information to satisfy the Secretary of State. It takes some time for them to obtain, on a sudden call, information from the Local Government, which the Local Government has itself often to get from the officer on the spot, and consequently general directions have been issued which lead to a considerable number of reports being made in the year to the Local Government and the Government of India on subjects which some 10 or 15 years ago were never reported on. The number of such matters which will have to be reported on may be expected to rise rather than to decline as time goes on.

The second point is that, with the increase of education and the means of communicating readily with higher authority, the whole community in India has become less inclined to accept the decision of the officer on the spot, whether it is given in an executive or in a judicial proceeding. This tendency exhibits itself not only with regard to the educated classes, but also in respect of the community at large. Everyone now seeks to obtain a decision from the highest authority from which one can be got.

2. In spite of these two factors, however, statistics of correspondence do not of themselves seem to show that there has been any material centralization by the Government of India in matters relating to the United Provinces in the past 15 years, or any marked tendency to take power and authority in all directions.

from this Government. It may be that there has been an undesirable increase of centralization in the relations between the Government of India and the Presidency Governments and the Government of Bengal, where questions of immediate interest to the Government of India are probably of more frequent occurrence than they are here. In 1891 the number of letters (I do not refer to returns) from the Government of India to this Government was 2,163, and of letters to the Government of India 1,224. In 1896 the figures were 1,907 and 1,132. In 1906 the numbers were 1,870 and 1,461 respectively. In the period from 1902 to 1906 the average was 1,948 and 1,301. The most noticeable features are a decrease in judicial references, due to increased powers as to the removal of prisoners having been given by law to the Local Government, and an increase in the references from the Foreign Department of the Government of India, probably accounted for by correspondence regarding Tibet.

4. At the same time, even though the history of recent years may not show an increasing tendency towards centralization, I think that a great deal might be done by relaxing restrictions which had their origin in conditions differing greatly from those of the present day and are embodied in the rules in the Civil Service Regulations, the Civil Account Code, and the Public Works Code. The powers of the Government of India, as well as those of the Local Governments, are, I think, too much restricted by these Codes and Regulations. While I think that in some respects, which are detailed in the evidence to be given by the Financial Secretary to the Government of these provinces, larger financial powers might be given to a provincial Government, I am not prepared to advocate a more complete separation than at present exists between imperial and provincial finances. A *quasi*-permanent settlement has recently been effected between the Imperial and provincial Governments, under which this Government is given a very reasonable amount of authority, and is protected against violent fluctuations of income by a guarantee of a certain minimum under land revenue and irrigation. I think, however, that the Government of India are inclined to interfere too much in the details of the budget and are too ready to alter figures entered by the provincial Government, which should have at its command better information upon which to frame its estimates. The budget also is not elastic enough ; in the interest of accurate forecasting the Government of India cut out savings ; it is desirable that the Local Government should have a small margin from which to meet unexpected and urgent demands. I do not advocate the grant to Local Governments of borrowing powers. They would in any case have to be limited to India, as the loan market in London must be left entirely to the Secretary of State, so far as borrowing for the Government of India is concerned. The loan market in India is of a very limited character, and is concentrated at the Presidency towns. I think it is only reasonable that the Government of India, who are responsible for the finances of the country as a whole, should be the one authority to borrow on behalf of the State and to regulate borrowings in India by semi-official bodies such as the Presidency Municipalities and the Port Trusts. I think myself that the rules of the Government of India regarding the borrowing by public bodies which limit repayments to a period of twenty years are too rigid.

5. There is one other matter in which I should like to see more freedom given. One of the greatest needs of the country, and particularly of the United Provinces, which have an excellent system of arterial lines, is the construction of light feeder railways, which would not only be of the greatest convenience to the people, who are fond of travelling and delight in visiting religious fairs, but also of immense benefit in bringing their agricultural produce to market. I should like to see District Boards given, as in Madras, the power to levy a railway cess in order to enable them to guarantee interest to private companies constructing such lines. In most cases it would never be necessary to levy the cess, but the power to levy it would afford sufficient security to induce private companies to provide the money for such projects. I have little doubt that they would pay. At present every such project has to appear in the railway programme, and its chance of appearing there, while so many projects of larger general importance are incomplete, is infinitesimal. I started the discussion of this proposal when Member of Council for Commerce and Industry, but it had not proceeded very far when I gave up office, and I fear that it has since been snuffed out.

6. I am in favour of an Act of delegation based on the principle of Act V of 1868, but elaborated to suit present conditions, instead of a separate Act of the Legislative Council of the Governor General dealing with each province.

7. I do not consider that the influence of the departments of the Government of India is, as a rule, in the direction of excessive rigidity or uniformity. I make, however, an exception in the matter of revenue policy. I think that the policy of the Revenue Department of the Government of India has been too much directed to drive all the Local Governments to framing their revenue administration in the same mould, and that the Government of India has been too ready to set aside local experience and local opinion upon matters of revenue administration with the object of securing uniformity. I may refer particularly to such matters as are dealt with in the correspondence regarding advances under the Lands Improvement Loans Act of 1883, and the Agriculturists' Loans Act of 1884 beginning with the Government of India's Resolution no. 6—204–16 dated November 30, 1905, and ending with their circular no. 6—260–1 dated 14th May 1907, forwarding elaborate rules regarding equated payments and accounts which seem to me to go into unncessary details : in the Resolution no. 3—99–2 dated the 25th March 1905 and letter of same date regarding suspensions and remissions of land revenue, which laid down certain principles and called on all Local Governments to submit rules embodying them, and the subsequent correspondence ending with their letter of 27th May 1907 approving rules for this province in their Resolution no. 6—193–2 dated the 24th May 1906 and letter of same date regarding the exemption of assessment to land revenue of improvements made by private enterprise, pressing on Local Governments rules based on those in force in the Punjab regarding the reduction of assessment in the case of deterioration, which proved to be quite unsuitable to the United Provinces, the Government of India accepted the rules drafted by this Government : and in their letter no. 1130—176–3 dated the 27th July 1905, urging that, owing to the success of similar legislation in the Punjab, this Government should consider and report whether the time had not arrived to extend to other districts of the provinces legislation to restrict alienation of land similar to that which had been enacted to meet the special circumstances of Bundelkhand. I maintain that this was a matter for the Local Government to consider in the first instance, and that in the other matters the Government of India went into details which should have been left to the Local Governments. I have had the opportunity of seeing three revenue systems at work—the raiyatwari system, based on the Bombay revenue system, in Berar ; the Central Provinces system, based in a great measure on the system in force in the United Provinces, but differing from it in some important particulars ; and, thirdly, the system in force in the United Provinces, which itself differs, according as it is administered in the province of Agra or that of Oudh. To my mind there is no branch of the administration in which latitude is more seriously and consistently required than in that connected with the administration of the land revenue. I may mention that an elaborate Famine Code has had to be prepared for each province and forwarded for the approval of the Government of India. That for these provinces was prepared in 1905. Recent experience has shown that it is very inelastic, and a number of its provisions have had to be disregarded. My view is that this has been due to the Government of India having endeavoured to insist too rigidly on matters of detail based on the recommendations of different Famine Commissions.

8. Speaking generally, the tendency of the Imperial Secretariat does not appear to be to consider matters too much from a purely departmental standpoint, though at times, and in the case of individuals connected with the different departments, this tendency may become accentuated. Nor do I regard the Government of India as being too impersonal, provided always that care is taken to keep in contact with the Local Governments by personal communications. The Secretary of

State has laid down restrictions as regards the touring of Members of Council, and the Government of India have laid down restrictions as regards the touring of their Secretaries, which to my mind are harmful inasmuch as they tend to restrict personal communications between the Local Governments and the Supreme Government. I believe that a great deal can be done to facilitate the working of the administrative machine, both by the Heads of the Local Governments visiting the Government of India's headquarters occasionally and discussing matters in personal communication with the Heads of the different Departments, and also by the Members of Council and the Secretaries to the Government of India coming to the headquarters of the provincial Governments and talking over matters with them. My experience in the Government of India Secretariat leads me to think that there is no foundation for the suggestion that in disposing of matters that come before them, the Government of India are too much dominated by considerations of revenue. The Finance Department naturally insists on the financial aspect of any proposal being rigidly scrutinized: if it did not do so, it would be failing in its duty.

9. There is now a formidable list of Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments. I think that great caution ought to be exercised in extending this list. As a member of the Government of India I feel it my duty to vote against the appointment of an Inspector-General of Excise. I also, when Member of Council in charge of the Commerce and Industry Department, which dealt with museums, opposed the making of a proposal to the Local Governments that an Inspector-General of Museums should be appointed. That proposal was successfully opposed by the Local Governments. I have seen a suggestion for the appointment of an Inspector-General of Factories, but sincerely trust that it will not be carried out. The conditions of labour vary very greatly in different parts of India, and I think it would be very unwise to take the carrying out of the factory laws, whatever they may be, from the control of the Local Government and its own officers. On the other hand, seeing that the customs revenue is imperial, and in view of the necessity of imports being treated at different seaports in a uniform manner, it seems to me that there is a great deal to be said in favour of the creation of an appointment of Inspector-General of Customs.

10. Speaking generally, my personal experience is that the Heads of Imperial Departments do not attempt to interfere unduly with the authority of the Local Government. Both here and in the Central Provinces the local Director of Public Instruction has, to my knowledge, derived immense benefit from the advice of the Director-General of Education, and here we have been greatly helped by the Director-General of Archaeology. The Director-General of the Indian Medical Service does not interfere with the administrative authority of the Local Government; but there are three matters in connection with medical arrangements in which the Local Government is hampered under existing regulations—(i) it has no word in the selection of the Inspector-General of Civil Hospitals in the province, (ii) it is not allowed to select or even recommend a member of the Indian Medical Service in military employment for service in the Civil Medical Department of the province—it has to take the nominee of the Director-General of the Indian Medical Service, and (iii) it has no power to send back to military work a medical officer in a permanent civil appointment who shows himself unfit to be retained in it—this can only be done by the Government of India. Nos. (i) and (iii) are part of the price that the Civil Governments have to pay for employing in civil medical offices medical officers belonging to a Service maintained in the first instance for military purposes. No. (ii) seems an unnecessary restriction. In the matter of fees earned by medical officers under its control, whether for attendance on native chiefs or on Indian gentlemen, the Local Government has no authority. It is centred in the Director-General of the Indian Medical Service and the Government of India. The Sanitary Commissioner with the Government of India has hitherto not interfered with Local Governments. He is just the kind of officer who should be able to assist us with advice given on the spot, but his tours to these provinces are like angels' visits. The danger of interference arises where business is done by written correspondence instead of at personal interviews. In paragraph 12 of the Resolution of 8th September, 1904, creating his appointment, occur the following words: "He will not be permitted to encroach in any respect upon the authority of Local Governments over the officers under their control. But he will be empowered to consult and confer with them informally upon matters connected with sanitation and will in this respect occupy a position closely analogous to that of the Director-General of Education. He should also correspond unofficially with the provincial Sanitary Commissioners and the Heads of provincial laboratories upon points of departmental procedure, forms and statistics, and purely technical questions." These restrictions were to my knowledge deliberately laid down, for I was the Member of Council in charge of the Home Department at the time. The Government of India recently (21st September, 1907) informed Local Governments that the restriction of correspondence between the Sanitary Commissioner with the Government of India and provincial Sanitary Commissioners to unofficial references had produced considerable inconvenience, and directed that these references should in future be made officially. I do not know whether this portends any change of attitude by the Sanitary Commissioner with the Government of India. There have been several occasions in the past year in which the Director of Criminal Intelligence at Simla has appeared to me to have interfered in the concerns of the Local Government, and I have had to complain to the Government of India. The Inspector-General of Agriculture rarely interferes, and often gives good advice, but what seems to me rather a glaring instance of assumption of authority on his part was recently brought to notice. He sent to the Director of Land Records in these provinces a scheme prepared by him for a uniform scheme for agricultural establishments for all provinces. This scheme was sent to the Director in the middle of November with the request that the opinion of the Local Government might be given before the assembling of the Agricultural Conference in January or February. It was wholly unsuited to these provinces, and it is the duty of this Government, not of the Inspector-General of Agriculture, to suggest what their needs are. There is undoubtedly a danger that the Head of an Imperial Department may, when advising the Government of India about a Local Government's proposal, adopt an attitude of criticism based too much on his desire to secure rigid uniformity, but the cases are fortunately rare when the Head of the Department acts as if he considered the Local Government incapable of appreciating what its own needs are and of initiating the reforms necessary to secure them,

11. Local Governments are not always sufficiently consulted by the Government of India as to the selection of the Heads of Departments, other than the Civil Medical Department already referred to, who are appointed by the Government of India for service with the Local Government. I refer to such appointments as Secretary and Chief Engineer in the Public Works department and Conservators of Forests. These officers are on an imperial list, but a Local Government ought to have an effective voice in the choice of any such officer who is to serve under it. Superintending Engineers are also selected by the Government of India. A Local Government cannot even appoint an officer to act as Superintending Engineer in a privilege leave vacancy lasting one month, without obtaining the sanction of the Government of India.

12. My opinion is that the initiative in administrative reforms on a large scale effected in recent years has been more due to the Government of India than to the provincial Governments, but a Local Government is constantly effecting reforms of some kind or another on its own initiative. I do not consider that it would be desirable to allow provincial Governments to develop their administration on their own lines, adopting or not at their own discretion suggestions of reform brought to their notice from other provinces. I feel convinced that, were this practice adopted, reform would be much more tardily secured than it is at present. It would, I fear, be natural to expect that the governing powers of one province would refrain from freely adopting suggestions of reform brought to their notice from other provinces. The Government of India have, in order to secure the adoption of reforms, to be very

careful in suggesting that a particular method which has been followed in a province named should be adopted in another. It is easy to say, "What can be done in Bombay cannot be done in Northern India," and so on; and, moreover, the saying is often full of truth. There are, however, matters in which one province is better governed than another, and I think it is well that the Government of India should estimate the value of the experience in the better governed province and communicate it to other provinces, not by saying that such and such a measure has been successful here and must necessarily be successful there, but by working out, on the experience of the successful province, sound principles which can be recommended to others less forward in that particular branch of administration. Everyone, I should think, recognizes, now that the Government of India have by means of a committee pointed out that the Madras system of excise administration is considerably ahead of that in any other province. In these provinces we recognize that the system of primary education in the Bombay Presidency in particular is far in advance of that in the United Provinces, and that we do so is, I think, due to the action of the Government of India. The Government of India suggested to the Madras Government a reform which has always seemed to outsiders to be desirable, viz., the reduction in the size of the districts. I believe that I am right in saying that it took the Government of India a long time to get this reform carried out. Again, the policy of the Bombay Government in respect of suspensions and remissions of land revenue was for long regarded by most persons as too rigid. That policy has changed, but it might not have done so but for the influence of the Government of India. It would not be difficult to multiply instances of beneficial action taken in all parts of India by the Government of India in the direction of reform.

13. I would not curtail, in any substantial way, the right of appeal to the Government of India now granted to officers of Government against orders affecting them personally, except to a slight extent in raising the limit of pay. This power of appeal is a valued privilege. It is one which has become more and more valued with the spread of education. No subordinate authority ought to feel in the least aggrieved were the Government of India to take a different view to the one taken by it in the case of any such appeal, and I think it a valuable safeguard against possibly prejudiced views by Local Governments.

14. I do consider that the demands for returns and information from Local Governments has increased of recent years. The question is one that can be authoritatively answered from their own records by the departments of the Government of India. Believing that there has been an increase, I should attribute it, to a certain extent, to the requirements of the Secretary of State and, to a certain extent, to those of the Government of India. I think that it will be found to have been due to the latter more than to the former. I think that the system of reminders has been adopted by the Government of India to a very unnecessary extent, and that sufficient discrimination is not exercised in the forms that are used for the purpose of reminding Local Governments. This may seem to be a small matter, but it leads to a large number of letters in the course of a year.

15. I am generally very much in favour of giving increased powers to authorities under the control of the Local Government; and I am confident that a great deal more can be done in the direction of devolving authority by the Local Government on Heads of Departments, &c., serving under it than can be done in the direction of delegation by the Government of India to the Local Government. I do not observe in the list of matters touching provincial Governments and their relations with subordinate authorities any mention of the Public Works Department. To my mind that is almost the most centralized department of all. One matter that comes into every proposal for delegation or devolution is the personal equation. One man is fitted for large devolution of authority: another, although in other ways not inefficient, may not be so exactly qualified to exercise authority devolved on him. Unless such devolution is accompanied by more rigid selection in the case of responsible officers, I fear that it must lead to considerable loss of efficiency.

16. Another matter in which a great saving of time and labour can be effected is by the substitution of unofficial references for official ones which involve a formal letter of reference and a formal answer. This system is certainly capable of being largely adopted between the Local Government and the Heads of Departments, especially the Board of Revenue. This matter had already come under my consideration before the Royal Commission was appointed, but on its appointment I deferred taking any action.

17. I am not in favour of curtailing the right of appeal to the Local Government now granted to officers of Government against orders affecting them personally, except in a slight alteration in the limits of pay. I do not consider that the influence of the provincial Governments is generally in the direction of excessive rigidity or uniformity. I do, indeed, admit that local needs may not always be appreciated at their full in the Secretariat, and that Secretariat officers are not always endowed with business aptitudes or sufficiently alive to the necessity for promptitude in the disposal of work. Knowledge of the world and common sense are as essential in a Secretary as administrative experience or a facile pen. The best means of correcting any tendency on the part of the Secretariat to be inappreciative of local needs is for the Head of the Government to make himself familiar with the whole of his province. No provincial Government to my mind—I write without any personal experience of a Governor in Council—need be too impersonal or too much dominated by considerations of revenue. I have been both a Chief Commissioner and a Lieutenant-Governor and I am unable to appreciate the difference, on the existence of which some people insist, between a Chief Commissioner and a Lieutenant-Governor in the matter of accessibility. When a Chief Commissioner I had three Civil Secretaries, one Public Works Secretary in the Roads and Buildings Branch, and one Public Works Secretary in the Irrigation Branch. The equipment in the United Provinces Secretariat is exactly the same. One's list of private visits by Indian gentlemen is a large one, and when in camp or passing through the country in a motor car, where one often stops on the side of a road for breakfast or lunch or a mishap to a tyre or the machinery, and where in each instance a large crowd from the neighbouring village promptly collects for a little talk, one gets many opportunities of talking to the people. I have just started the plan of holding divisional darbars each year, believing that they are of great advantage in bringing the Head of the Government into contact with the leading people of the province.

18. I do not myself understand how India could be divided up into a large number of small Governments. I see that as many as twenty-two have been suggested. I pity the Supreme Government when it had to estimate the value of the opinions of the different Chief Commissioners on each subject on which they might be invited. The inevitable result would be, I should say, that the Government of India would come to regard their opinion as the only valuable one, and that there would be more encouragement than ever to centralize.

19. I am in favour of maintaining the arrangement in force in these provinces under which there are a Board of Revenue and Divisional Commissioners. In the Central Provinces, where there are only five Divisional Commissioners, I found myself considerably hampered by not having some official corresponding to the Board of Revenue here. The Chief Commissioner has himself to exercise judicial functions in revenue matters. Here the Board of Revenue are the final court of appeal in revenue matters, and relieve the Government of much work in connection with land revenue administration, settlement, excise, revenue establishment, Court of Wards, Government properties, and separate revenue. The Local Government would be greatly embarrassed had it to deal direct with nine Divisional Commissioners on all such matters. I am in favour of bringing the Board of Revenue into more close connection with the Government, and of making the form of communication between these two authorities less official than it is at present, but I think that their duties should be confined to the subjects with which they at present deal. I think that the influence of the Commissioner in matters appertaining to departments other than the Land Revenue Department might be extended, but there are certain

departments from which I would exclude him. He can do much to facilitate the work of the Director of Public Instruction, but I think that his interference in police matters is more likely to impede than to facilitate the work of the department. I would do all I could to raise the status of the head of the Police Department, who has under him Deputy Inspectors-General, and not minimize his power by introducing the Commissioner.

20. Executive Officers have in these provinces sufficient opportunities for personal contact with the people. They tour about during the whole of the cold weather, and are always accessible when they are in their stations. The people come freely to the District Officer and his assistants and are not deterred from doing so by fear as is said to be the case in some other parts of India. For climatic reasons tours have ordinarily to be restricted to the cold weather, but communications are good and a District Officer should have no difficulty in getting over his district during the camping season. This year every available official on the district staff was in camp in October arranging for the distribution of advances aggregating a million sterling, to enable the people to sow their spring crop. The people were greatly encouraged by the interest taken in them, and I have been told on all sides that the effect in confirming them in their view that the "*Sarkar*" (Government) is their real friend was very great.

21. We have not here the difficulties that present themselves in other provinces as regards knowledge of the vernacular. A working knowledge of Hindustani will enable a man to make himself understood throughout the provinces, though in the hill districts, and the less civilized parts of districts like Mirzapur and in parts of Oudh, there are *patois* which he will have to learn. We have no such spectacle in these provinces, except sometimes in the High Court, as a witness belonging to them being examined through an interpreter. English is little known here (the proportion of the population, including Europeans, returned at the census as literate in English was only 24 per 10,000). A small portion only of a District Officer's work can be done in English. I see that it was stated by one witness who gave evidence in Madras that many officials would think it *infra dig.* to talk to the people in vernacular. This is not the case here; on the other hand, people who know English seem to prefer to be conversed with in that language. I do not, however, think that the officers now entering the service get to learn even Hindustani as well as their predecessors. There is not the same leisure for advanced study of native languages, although the Government of India give rewards to encourage such study, while recruits are now kept in England only for one year after passing their competitive examination, and certainly do not display the same keenness to learn the "a b c" of their work that men did when they entered the service at an earlier age. The ease with which Europe can now be visited has, of course, not been without its effect, and the members of the different European Services have become less tied to the country.

I may perhaps mention that when in the Central Provinces I was much impressed with the indifferent knowledge of Marathi possessed by a good many of the Central Provinces Commission. Some few knew it thoroughly, but the majority did not know it well enough. Even there more work is done in English than here, and, moreover, an officer coming out to the Central Provinces has to learn the Persian character, whereas the characters that will be of use to him are Marathi and Devanagri. A proposal was made while I was Chief Commissioner that they should be required to study Marathi before they come out to India, but it was, I believe, rejected.

22. In my opinion the tendency of recent years has been to keep the administrative staff too low. One hears complaints everywhere that there is not sufficient leisure for the administrative work of Commissioners, Collectors, Joint-Magistrates, Assistant Magistrates, and Deputy Collectors. This is largely dne to tbe enormous increase of case work. Revenue case work has greatly increased owing to the changes made in the last amendment of the Agra Tenancy Act (1901) as regards rent litigation. Moreover, with the spread of education and the increase in the number of lawyers, it has naturally resulted that all cases are tried more elaborately than they used to be, say, fifteen to twenty years ago. The number of suits and applications under the rent law in 1905–6 was 348,512, the appeals to Commissioners and Collectors (appeals in suits for arrears of rent over a certain sum go to the civil courts, as do certain other revenue appeals) 5,560: the corresponding figures ten years ago were 278,943 and 4,265. Sir James LaTouche represented to the Government of India the necessity for an increase both in the number of Joint-Magistrates and in the number of Deputy Collectors; but his demands have not been met in full. In asking for more Deputy Collectors in 1906 Sir James LaTouche wrote: "The Lieutenant-Governor has been deeply impressed with the accounts he has received of the extent to which officers are overworked, and numerous complaints have been received of litigants having to remain in attendance in courts far into the night." This really only touches one side of the question, for officers so over-burdened with case work can neither give proper time to their administrative work nor when in camp move about among the agricultural population as much as they should do. It must not be forgotton that more than three-quarters of the sub-divisional or administrative charges under the District Magistrates are now manned by Deputy Collectors, and they cannot do justice to their charges if they have so much case work. There seems to have been a tendency to keep the staff at a figure which can just manage to keep the case work down. That work has to be done, and it is done at the sacrifice of other important work. The increase of work generally in the province during the last quarter of a century is enormous. The total revenue of all kinds derived from the province (imperial, provincial, and local) was in 1878–9, 870 lakhs: it is now 1,130 lakhs. The expenditure on provincial and local matters was then 323 lakhs and is now 536. To my mind the administrative staff is not as strong as it should be. There is also another point that needs considering. The staff employed in administrative charges under the Magistrate and Collector has not so large a proportion of Europeans among it as it used to have. At the beginning of 1878 there were 248 officers, either in the Civil Service or in the Oudh, Jhansi, and Kumaun Commissions, available for duty in these provinces, after deducting the officers on deputation to the Government of India and other provinces. At the beginning of 1907 the number was 217. Of the former number all but three were Europeans: among the latter there were nineteen Indians. These figures represent the Service at its highest strength in the year, but the contrast is more noticeable if the figures are taken for July 1, the time of the year when it is most depleted. On July 1, 1878, there were 65 members of the above-mentioned Services available for sub-divisional charges: on the corresponding date in 1907 there were only 32 available for such purposes. The number of Deputy Collectors available for district work in 1878 was 106, of whom 17 were Europeans: the number in 1907 was 180, of whom 16 were Europeans. I consider it a grave mistake that the English element among those holding sub-divisional administrative charges has been allowed to fall so low. The manner of recruitment of the Civil Service, which will be referred to later on, has had something to do with this. The existence of so many separate departments nowadays assists the other influences at work to reduce the authority of the District Officer. Formerly the *raiyat* had one Governor (*hakim*) to deal with. He has now got many, but he would much prefer one. It was inevitable, however, that, as our administration became more and more advanced, the special departments should become more and more specialized and that their number should increase, and there can be no putting back of the clock in this direction.

23. The attached statement will show that in these provinces the average area of jurisdiction of the District Officer is smaller than in any other province. There is only one district in the plains with an area of over 5,000 square miles, viz. Mirzapur (5,223), and it is a sparsely populated district with a population of just over a million. The only really unwieldy district is Gorakhpur, which has an area of 4,596 square miles and a population of 2,957,074. Proposals are under consideration for the appointment of an additional Magistrate and Collector for this district. Some other districts, such as Allahabad and Cawnpore, are districts

of extensive area with much special work at headquarters. It is intended to relieve the District Magistrate of municipal work at these places, and to appoint special official Chairmen to the charge of these two municipalities. The only other substantial change in administrative charges which, to my mind, will be demanded in the near future in these provinces is the re-establishment of a Commissionership in Jhansi to control the Bundelkhand area. This was formerly a separate charge, but, in connection with some administrative changes made in these provinces some years ago, it was, in order to effect economies for expenditure in other directions, absorbed and the districts brought under the control of the Commissioner of Allahabad. The Commissioner of Allahabad has now four districts in Bundelkhand and three districts in the Doab, including among them the very large districts of Cawnpore and Allahabad, to manage. Some rearrangement of other divisions would be required, but I have personally no doubt that the Bundelkhand area, which is peculiarly liable to famine and has had five periods of scarcity within a decade, should be supervised by a Commissioner who has no duties outside it. The average area of a tahsildar's charge is about 500 square miles and the population 225,000. Generally speaking, the charges are not too large, but they are in some districts and particularly so in Gorakhpur.

24. Theoretically at present Commissioners are appointed solely by selection, and a Collector is not appointed unless he has shown the merit and ability necessary to justify his promotion to that post. Selection among Commissioners is far more real than among Collectors, and I think that it should be more real among the latter than it is. But, if it is to be so, it should be accompanied by some power on the part of the Government to retire members of the Indian Civil Service who are not fitted for the position of District Officer before they have completed their twenty-five years' service and on a smaller pension than £1,000 a year. The regulations regarding the recruitment and pensions of the Indian Civil Service require radical alteration in order to make them suitable to the conditions of the present day. The system on which the service is recruited is as follows :—

A list is made for each province of what are called the superior appointments (speaking generally, these are the posts the pay of which is over Rs. 1,000) : it is calculated that to fill 100 superior posts and provide men for vacancies caused by leave, &c., a Service of 194·5 officers is required, and that a member of the Service should reach a superior appointment when he has about eight years of service or at about the age of 32. In fixing the strength of the Service no regard is paid to the question of what inferior appointments should, on their merits, be held by members of it. The system of recruitment is based on the theory that practically every member of the Civil Service will qualify himself for a superior appointment. It would be remarkable if this were the case, but under present conditions it is very seldom that a man is debarred from succeeding to a superior appointment : he is often placed in one for which he is not really fit, but in which it is thought that he will do less harm than he will in another. On the rare occasions when he is not appointed to a superior appointment he is kept on in an appointment of the pay of Rs. 1,000. This is done because a member of the Service cannot be retired on a proportionate pension unless his health breaks down. It is both expensive, and unfair to the officer concerned, to retain a man in service in India on a pay of Rs. 1,000 a month or £800 a year till he has completed his service of twenty-five years, and then to give him a pension of £1,000 a year. That same pension is partly earned by a deduction of 4 per cent. on salary from the date on which an officer joins the service in India, and it follows that the more eminent an officer's service the more does he contribute towards the pension. There were good reasons for these regulations when they were made, but they are, in my judgment, unsuited to modern conditions and I venture to think that the time has long since gone by when there should be a uniform pension of £1,000 a year to all members of the Indian Civil Service who have served twenty-five years. Not many years ago a late Lieutenant-Governor of Bengal, who died in harness, was about to retire a few months after forty years' service on a pension of £1,000 a year, while another member of the Civil Service in the same province who had been tried as a Magistrate of a district and had to be removed from that office, was actually permitted to retire about the same time on a full pension of the same amount that the Lieutenant-Governor in question would have drawn had he lived to retire. I believe that the Indian Civil Service is the only Service in India, and I dare say in the world, in which pension bears no relation to pay. In other departments in India pension bears a strict relation to pay, with the provision that men who do specially good service become eligible for a special pension. Until the Service ceases to be recruited on the principle that every member of it will become eligible for a superior appointment, and provision is made enabling Government to retire officers unfit for such promotion on a lower pension regulated by the amount of service rendered, there is no hope that the principle of selection for superior appointments will be adequately enforced in practice.

25. It is most important to restrict the transfers of the district staff, and especially of the District Magistrate, as much as possible. If you take a district and look at the names of different officers who have held charge of it within a given period you may very easily come to the opinion that transfers in it have been much too numerous, and I do not deny that they often have been. In a country like India, where sudden illness is very common, transfers must be more frequent than they could be elsewhere. The Government of India issued special orders in this matter in 1901, and I believe that Local Governments have done very much to reduce the number of transfers. In 1901 the Government of India prescribed quarterly lists to exhibit instances in which officers had been transferred from other districts to fill short privilege leave vacancies. They have recently (2nd December last) directed the discontinuance of these returns on the ground that the principles laid down are fully understood and that the Local Governments are alive to the great importance of maintaining them.

26. There are eighty-nine municipalities in the provinces. In eighty-seven of them the members of the Municipal Board are mainly elected. Out of 1,217 members 937 are elected, 144 appointed by name, and 136 by virtue of their offices. It is not, I think, possible to advocate any large enhancement of the powers of these Boards, but the Secretary in the Finance Department will make some proposals of minor moment in this direction. Till the District Boards Act of 1906 was passed the Local or *tahsil* Board was the primary agent of administration. My predecessor, Sir James LaTouche, who had exceptional experience of the conditions existing in the province and knowledge of the people resident in it, determined that this arrangement had not worked well in practice, as it was not possible to find in each *tahsil* a sufficient number of public-spirited and capable men ready to take up and carry out the duties of a member of a Local Board, and the Act of 1906 abolished these Boards and made the District Board the direct administrative authority, leaving power to appoint a local committee, with the tahsildar as *ex officio* Chairman, wherever necessity may arise. This power has not yet been exercised. The District Boards are forty-eight in number. There are 628 elected, 271 nominated, and 57 *ex officio* members. The voters at the elections are in each *tahsil* from 25 to 100 persons, nominated by the Collector, who must be possessed of certain qualifications in respect of landed property and education. The complaint generally made is that the Boards have not sufficient control over the expenditure of their own money. This is mainly due to the fact that they have nearly all to be subsidized by Government. Moreover they do not at present share in the financial distress at such times as the present except in so far as the needs of Government may require it to curtail the amount of its contributions to them. The reason is that, while the Government suspends and remits revenue, it is the practice to collect the cesses on the land, which constitute the chief resources of the District Boards. Their own receipts in 1906-1907 were about 53½ lakhs, and their expenditure 70½ lakhs. The Government contributed 18¾ lakhs from provincial revenues. I am not in favour of making over the control and supervision of smaller municipalities to District Boards, but I have considered whether it might be feasible to allow them to exercise these functions in respect of notified areas, and small towns under Act XX of 1856. On the whole I am opposed

to the proposal. My experience has taught me that it is the individual rather than the committee that can be trusted to do work in India. In these small towns you may often find one man out of the committee prepared to work. It would be undesirable to introduce a committee such as the District Board to check his enthusiasm. The Financial Secretary will speak as to the decentralization with regard to District Boards that does seem possible.

27. I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers in these provinces. They are certainly not ripe for this development even if other provinces are. I do not quite understand what is contemplated in the way of the numbers, constitution, and functions of such bodies. I see that very varying proposals have been made as to the number of members who should compose, and of the business that should be entrusted to, them. Again, some of those who advocate their creation urge that the District Officer should not be able to discard their advice, while others would empower him to set it aside. The general argument in favour of them seems to be that the existing machinery of District Boards is not in touch with particular local grievences, and that at any rate they would not do much harm. It is not, I think, true that in these provinces the members of Municipal and District Boards are not acquainted with local needs and grievences, and the practical question from the point of view of decentralization is not whether such Councils can be established without doing harm, but whether they will do actual good, and particularly whether they will relieve the District Magistrate of any work. On the other hand, the District Magistrate has already at hand for advice when he wants it, the Municipal Committees and District Boards, besides honorary magistrates, gentlemen on the darbar list, and other leading men who may not belong to either of these bodies; the difficulty in the rural tracts would be to get other representatives of public opinion, and it is not desirable that the town influence should be overpowering on such Councils, while, should they be established, much work would certainly be done twice over.

28. A great deal is done in the direction of entrusting to non-official agency the settlement of criminal and civil disputes. There are 435 Honorary Magistrates, of whom 185 sit singly and 250 on 52 benches. They dispose of 20 per cent. of the litigation in the criminal courts (26,394 out of 122,860 cases in 1906). There are also honorary munsifs and village munsifs. Honorary munsifs disposed of 3,275 cases (mainly in Oudh) in 1906, and village munsifs of 23,018. The question of forming benches of village munsifs with larger powers is under consideration. So is that of Honorary Assistant Collectors to try rent cases.

I do not think it possible to entrust village communities with revenue, police, sanitary, educational and other matters such as the disposal of petty criminal and civil cases. The growth of partitions of revenue-paying estates, and the general weakening of the authority of the village headman (*lambardar*), show only too clearly how, in spite of the efforts of Government, the old order is changing. The tendency is for individuals to ignore their representative and to demand to have direct dealings with the officers of Government. We have tried to retard, but we cannot arrest this process. To every one's regret village communities are losing the strength and coherence that they had in the old days, and they are not now equipped so as to undertake administrative duties. It would be still less desirable to give them judicial functions in civil and criminal cases. Caste panchayats can only deal with cases between members of the same caste. The village community never concerned itself much with the rights of those considered to be outside the pale. The high caste zamindar will still not permit the *chamar* or the sweeper to draw water from the village well, and exercises many petty tyrannies over those lower to him in position and prestige. It would be impossible to expect that justice would be administered between parties who according to village tradition stand on such a different plane.

J. P. HEWETT,
Lieutenant-Governor,
United Provinces.

The 18th January 1908.

Statement showing the average area of districts and the average population in the following.

	Total number of districts.	Total area in square miles.	Total population.	Average area per district.	Average population per district.	Remarks.
Madras (including the agencies of Godavari, Ganjam, and Vizagapatam).	*22	122,460	36,867,218	5,566	1,675,783	* Taken from Civil Lists.
Bombay	25	†122,984	†18,515,587	4,919	740,623	† This includes the area and population of Bombay city.
Bengal	33	114,107	50,064,977	3,458	1,517,120	
Eastern Bengal and Assam (including the States of Hill Tipperah and Manipur).	27	97,863	30,503,669	3,625	1,129,765	
Punjab	29	97,209	20,330,339	3,352	701,046	
Central Provinces	22	100,478	11,956,481	4,567	543,476	
United Provinces	48	107,164	47,691,782	2,232	993,579	

APPENDIX III.

No. $\frac{90}{111-378}$ OF 1908.

From The Hon. Mr. J. M. HOLMS, C.S.I., Chief Secretary to Government, United Provinces, to the SECRETARY of the ROYAL COMMISSION on DECENTRALIZATION.

Dated Allahabad, the 13th January, 1908.

GENERAL ADMINISTRATION DEPARTMENT.

SIR,

I AM directed to forward the suggestions of the Local Government in the matter of decentralization, asked for in your letter No. 52 dated the 21st November 1907. They are arranged in the order of the heads of enquiry forwarded by you.

2. Except in a few matters of comparatively small importance, the Lieutenant-Governor is not dissatisfied with the financial relations now existing between this Government and the Government of India. In order to encourage the construction of light railways, a question to which he attaches great importance, he would be glad if District Boards were given the power to levy a railway cess, on the security of which such lines could be made by private companies. He considers also that the Civil Account Code should provide for loans being made by Local Governments for industrial or commercial objects, as well as for the purposes to which loans are at present restricted. He sees, however, no object to be gained by conferring

on Local Governments the power of independent borrowing.

The budget arrangements, he thinks, might be modified. A Local Government might be left with more freedom than it has at present to distribute the funds assigned to it among the different heads of expenditure. Moreover, with the object of securing more accurate estimates, the Government of India frequently reduce the budget by anticipating savings. This procedure leaves out of consideration the fact that there are unavoidable payments, the necessity of which cannot be foreseen, and for which the Local Government should be able to provide without obtaining the sanction of the Government of India, which is necessary when the total budget is exceeded ; to meet such demands it is desirable to include a lump sum, which need not be very large, as a margin in the budget. These, however, are the only criticisms which the Lieutenant-Governor has to offer in this connection. The adoption of the principle of a *quasi*-permanent settlement has materially altered the position ; the Local Government has been given an increased share in expanding revenues ; and, lastly, to secure it against violent fluctuations of income, which would be fatal to any degree of financial independence, it has been guaranteed a minimum under the variable heads of land revenue and irrigation. In this way it enjoys as large a measure of independence as the circumstances of the case permit.

It appears, however, to the Lieutenant-Governor that the powers of the Local Government are unduly restricted on matters of detail. It is remarkable, for instance, that the grant of an extraordinary pension of two or three rupees to the widow of a chaukidar should require the sanction of the Government of India. So long as the provincial settlement was quinquennial, and so long as the resources of the Local Government depended chiefly on fixed assignments from imperial revenues, it was inevitable that its powers should be severely restricted, and that delegations of power should be obtained with difficulty. To such conditions the Civil Service Regulations and Civil Account Code are adapted, and it is to these codes that objection has now for the most part to be taken. In the appendices attached to this letter proposals are made for the amendment of some of their provisions, but in this place it is not necessary to do more than outline the general principles that ought to be followed. It has hitherto been held that a Local Government can do only what it is specially empowered to do, and that everything for which there is no special sanction requires the orders of the Government of India. It has been held also that a Local Government cannot delegate to a subordinate authority any of the financial powers which it possesses. It will be in accordance with the modern practice of the Government of India if a radical change in these principles is now effected, and if it is recognized that the Local Government has power to deal with all cases except those in which its authority is specifically restricted, and to delegate its powers except where delegation is specifically prohibited.

That there is room for large delegations of powers to officers subordinate to the Local Government there can be no question. The matter of transfers in budgets may be taken as an example. In a very large number of cases such transfers require the sanction of the Local Government. But it is the fact that, with few exceptions, these transfers are dealt with as routine cases and sanctioned as a matter of course, and the form of the proceedings itself goes far to show that the intervention of Government is unnecessary. The explanation lies in the circumstance that budget provision is in itself no authority for expenditure. The real check is that, apart from the budget, all expenditure has to be sanctioned by such authority as in each case is considered qualified to accord the sanction, and that in all matters of real importance the power of sanction is reserved to the Government. The question of budget provision is therefore a subsidiary one, and this Government would deal with it very freely. The fact again that a large number of cases are of such a nature as to require a reference to the Audit Office might be utilized in order to obviate the necessity of a reference to Government. At present, if the Local Government and the Accountant General disagree about a matter, it is referred for the decision of the Government of India. By an extension of the same principle the powers of subordinate officers might be largely increased if it were provided that the Accountant General should have power to refer doubtful cases to the Local Government, and it would be possible in this way to dispense with the intervention of the Government in many of the routine cases relating to pensions which are at present reported to it for orders.

3. It should be left to the Local Government, by issuing detailed instructions to its officers, to give effect to the general lines of policy laid down by the Government of India. In certain cases the powers of this Local Government, even when expressly authorized by law to issue rules under an Act, have been curtailed in this direction by the Government of India either recommending a standard form of rules for adoption or desiring the submission to them of the detailed instructions framed by this Government. Instances of this are the orders issued in the Revenue and Agriculture Department of the Government of India in the last year or two regarding the three matters of agricultural advances, remissions and suspensions of land revenue, and the exemption of improvements from assessment to land revenue.

In this connection I am to refer to the restriction, by executive order of the Government of India, of financial powers already possessed by the Local Government under the Civil Service Regulations. Two instances may be quoted, in both of which the power given to the Local Government by Article 78, Civil Service Regulations, to make temporary arrangements subject to certain conditions was fettered, at the cost of considerable inconvenience to the administration. In the first instance certain orders of the Secretary of State conveyed when sanction was accorded to the revision of the cadre of Deputy Collectors were interpreted as fettering the authority of this Government to appoint officers temporarily as Deputy Collectors in case of need : the recent orders of the Secretary of State in his despatch No. 100 dated the 10th July 1907 and of the Government of India in their letter No. 1069 dated, the 20th September 1907 have, however, given considerably more discretion to the Local Government. The second instance relates to the appointment of additional Civil Assistant Surgeons as a temporary measure, and finds place in the appended list of detailed proposals under this head (Appendix No. 3)

4. The present statutory law requires in many cases the previous sanction of the Government of India to the making of rules by the Local Goverment which the Local Government should be able to issue without such sanction. If deemed desirable, specific provision might be made for the Local Government issuing such rules "subject to the control of the Government of India." A noticeable instance in which the sanction of the Goverment of India to the making of rules by the Local Goverment seems to be unnecessarily required is the Excise Act (XII of 1896). Appendix No. 4 contains detailed proposals for the relaxation of restrictions imposed upon the Local Government by law or by rules having the force of law. This relaxation can probably best be effected by a general Act of delegation.

5. The full power of superintendence and control conferred by statute (the Government of India Act, 1833, 3 and 4 Will. 4, chap. 85) upon the Government of India over Local Governments necessarily includes an authority to revise the orders of the Local Government passed in matters of administration, and it appears to be with this object that rules have been issued by the Government of India to regulate the manner in which memorial by way of appeal against the Acts of a Local Government are to be drawn up and presented to the Government of India. In 1906, apart from appeals by Government officers against orders affecting them personally and apart from petitions for special Mutiny pensions or rewards, fifty-eight petitions were received by this Government for transmission to the Government of India, of which twenty-five were withheld. These were chiefly appeals against administrative orders of this Government ; they were most numerous in the Judicial Department and in the Political Department, where they were mainly in connection with political pensions. The Lieutenant-Governor would not curtail the right of appeal to the Government of India now existing, nor would he require the production of a certificate from the authority passing the order appealed against.

6. In 1906 the appeals to the Government of India made by officers of Government against orders affecting them personally numbered only thirty-five in all departments; of these twenty-two were withheld by this Government under the rules. There is clearly no need to curtail the right of appeal.

7 In Appendix No. 7 are entered detailed suggestions for giving extended powers regarding matters relating to Court of Wards estates to the officers mentioned. A further suggestion which commends itself to the Lieutenant-Governor may be referred to. Under the existing rules a Collector has only one month for the preparation of the reports of his district, and the Commissioner a very little longer time to deal with all the reports of his division. Where the number of estates is small the period is probably sufficient, but where they are numerous the preparation and checking of the statements generally take up the whole period, and neither the Commissioner nor Collector has really time for the full consideration of the reports. It is suggested therefore that in the case of those estates for the control of which the Commissioner is primarily responsible, (*i.e.* those with a gross income of less than Rs. 50,000, for the management and liquidation of the debts of which satisfactory arrangements have been made) all that should go to the Board would be the prescribed statements as passed by the Commissioner for inclusion in the provincial report. The reports themselves should remain in the Commissioner's office, and the Commissioner, when inspecting his districts during the cold weather tour, should go through these reports on the spot and issue such orders on them as may be necessary. The provincial report would be confined to the affairs of the larger and more important estates, the management of which rests with the Board.

In another respect improvement is possible. The rules of the Court of Wards Manual in their present form are over-elaborate, and some have been found to be practically unworkable in certain estates. Their revision will be undertaken with a view of securing more elasticity and of dispensing with registers and accounts not required for all estates.

8. The control of Commissioners and Collectors over expenditure in their divisions and districts can be substantially increased in at least two directions. Detailed proposals will, in the first place, be made enlarging the powers of these officers in the matter of budget transfers. Secondly, the power of entertaining temporary establishment can be extended, particularly in the case of Collectors, and each officer who is entrusted with such power should be given a grant sufficient to cover the expenditure which he is likely to incur. The Lieutenant-Governor considers also that District Officers as well as Commissioners should have small allotments assigned to them for general purposes, apart from the cost of temporary establishments. Detailed suggestions will be found in Appendix No. 8.

9. The Lieutenant-Governor would not curtail the right of appeal to the Local Government granted in respect of administrative action, nor would he require a certificate from the authority passing the order appealed against before such an appeal is admitted.

10. In 1906 there were 294 appeals made to the Local Government by officers of Government against orders affecting them personally, mostly in the Police Department (120), in the Revenue Department (70), and in the Financial Department (49). A large number of these, however, were appeals which were not admissible under the rules.

At present no appeal lies to Government against—

(1) An appellate order confirming an order of dismissal or other punishment in the case of officials drawing Rs. 30 a month or under;

(2) An appellate order passed by the Board of Revenue in second appeal in the case of an official of the Revenue Department drawing a salary of over Rs. 30 a month.

The limit might be raised from Rs. 30 to Rs. 50.

The question is under consideration of empowering Heads of Departments and Commissioners in certain cases to withhold and pass final orders on petitions presented to them for transmission to Government appealing against the exercise by departmental officers of discretion vested in them. An instance may be mentioned. A head constable was recommended for the police training school. The Deputy Inspector-General of Police, whose duty it was to select from the men recommended those who should be sent to the school, did not select this man. He appealed to Government against the Deputy Inspector-General's order, and in the alternative asked that the age limit which would bar his selection in the following year might be relaxed in his favour. The Inspector-General should have power to withhold such a petition.

11. The provisions of chapter X of the United Provinces Land Revenue Act, which allow second and in some cases third appeals against certain orders which affect tahsildars, naib-tahsildars, kanungos, patwaris, and *lambardars* are unnecessarily complicated and cause useless work. Detailed suggestions are contained in Appendix No. 11. The simplest way to give effect to them seems to be to exclude orders regarding these officers and persons from section 210 (2) of the Act and empower the Board to make rules under section 234 to regulate appeals from such orders.

12. In the United Provinces the average area of a district is 2,232 square miles, though Gorakhpur, Mirzapur, and two of the scantily popolated districts of the Kumaun division are much larger. The average population is close on a million, though that of Gorakhpur approaches three millions. The average *tahsil* has an area of 493 square miles and a population of 219,777. No general reduction in the area of district or *tahsil* is required, though in Gorakhpur the question of reducing the area of the *tahsils* and of relieving the District Officer by giving the powers of a Collector to a selected Assistant Collector is under consideration. Proposals are being prepared to relieve the District Officers of the heavy districts of Allahabad and Cawnpore by the creation of separate posts of Chairmen of the municipal boards at the headquarters of these districts.

Owing to the large increase of late years in rent and revenue case work a heavy burden has been put on Deputy Collectors, and in their letter No. 2654 of 25th June 1906 this Government asked that the cadre should be increased by seventeen appointments in addition to an increase of two in the men under training. The Government of India, however, obtained sanction to an increase of eleven only in addition to two more on probation. Again, in the letter of this Government No. 2653 of 25th June 1906 it was represented that the total strength of the Indian Civil Service in the United Provinces should not fall below the strength of 234 against 226 suggested by the Government of India, the minimum number of Indian Civil Service men necessary for posts in districts subordinate to the District Magistrate being taken in arriving at this total. Had it not been for the necessity of reducing the proportion of inferior appointments, so as to secure a flow of adequate promotion, proposals would have been made for a larger number of Joint-Magistrates. The proposal submitted, on which no orders have yet been received, allowed, for example, for only two Indian Civil Service Assistants in the whole of Oudh. The strength of the Service on the 1st October last was only 225.

The Lieutenant-Governor is not satisfied that the present staff of Deputy Collectors is sufficient for the ordinary administrative duties of a Sub-Divisional Officer to be efficiently carried out in addition to heavy case work. The expedient of appointing temporary Deputy Collectors from the ranks of tahsildars, which the recent more liberal interpretation of their rules by the Government of India has enabled this Government to make use of to cope with arrears of rent work in certain districts, is an unsatisfactory one. And the Lieutenant-Governor is of opinion that the reduction in the number of Joint-Magistrates has gone too far.

As instances of the increase of case work referred to may be noticed a rise last year in suits for arrears of rent by 40 per cent. in Agra over the normal of the years before the Tenancy Act of 1901, and an increase from the average of 2,364 partitions—cases which occupy a very large amount of time—in the three years before the Land Revenue Act of 1901 to 4,013 last year.

13. Transfers of Executive Officers have been less frequent of late years than they used to be. The principle is now recognized that an officer returning from leave, who is not a permanent Collector, has no

claim to oust an officer junior to him who is officiating in charge of a district, and he must, as a rule, wait till a suitable vacancy occurs.

A comparison of the officers holding charge of divisions and districts on 1st April 1907 and 1st January 1908 shows that seven of the nine Commissioners and thirty-one of the forty-eight District Officers have been exchanged. In nearly every instance in which there has been a change a good reason will be found for it. In estimating the effect of the transfers the figures obtained by adding up the number of officers in a particular charge between particular dates is in many cases misleading.

On 1st July 1906 the number of Indian Civil Service men available to hold charge of sub-divisions was only thirty-four, and on 1st July 1907 thirty-one. With this small number of men frequent transfers of Joint-Magistrates are unavoidable. There are certain districts in the province which cannot be left without a Joint-Magistrate, and if a man from one of them has to go on leave or acts as District Officer it is necessary to transfer a Joint-Magistrate from elsewhere to fill his place.

In the case of Deputy Collectors the limitations which up till recently have been placed on the power of the Local Government to create temporary posts have necessitated transfers to fill the place of men having suddenly to take leave or being appointed to posts outside the province. With a larger cadre and with greater power to make temporary appointments transfers should be less frequent. If, however, it is the Treasury Officer who has to take leave a transfer will often be unavoidable, as another Deputy Collector qualified to hold charge may not be available in the district, and a tahsildar appointed as a temporary Deputy Collector is never qualified.

14. There are no Sub-Divisional or Local Boards in this province, and this Government is concerned therefore only with District Boards and district municipalities. The general position with regard to the control of these bodies and to their powers appears to the Lieutenant-Governor to be sound. The Government receives reports and exercises a general control, but the real directing officer in the case both of District and Municipal Boards is the Commissioner and very little delegation of the power and control appears to be possible. In the matter of the powers which they themselves exercise there is a considerable difference between Municipal and District Boards. Municipal Boards have their own funds and their own staff and it is only in exceptional cases that they depend on outside assistance. District Boards are still to a large extent subsidized from provincial revenues, and it is important to observe that as a consequence of their place in the general scheme of the administration they have to depend very largely in the discharge of their functions on several of the ordinary departments of Government. It is impossible in these circumstances for District Boards to be independent, and it is only to a very limited extent, in the opinion of the Lieutenant-Governor, that the powers either of District Boards or of municipalities can be increased. Detailed suggestions are contained in Appendix No. 13.

15. The Lieutenant-Governor is not in favour of making over the control and supervision of smaller municipalities to District Boards. It might be feasible to allow District Boards to exercise these functions in respect of notified areas and small towns under Act XX of 1856, but the interests of such places are probably best served by the appointment, as at present, of small committees of local men, who are more directly concerned in their well-being than a body such as the District Board, whose members come from all parts of the district.

16. Finally, there are a few matters to which the Lieutenant-Governor desires to call attention.

The method of working adopted in offices at the headquarters of Government is frequently capable of amendment. There is a tendency to treat each office as though it were isolated from the rest, and communication possible only by means of formal letters. The result is the duplication and reduplication of the work of noting and drafting and the Lieutenant-Governor considers that the system of unofficial references and exchange of files between offices is capable generally of great extension and would lead to an appreciable decrease of the work at headquarters.

Apart from delegations of powers in specific instances, which have already been dealt with, there is the general question of the relations between the Local Government and its subordinate officers to be considered. Our object is to increase the responsibility and freedom of action of local officers, but it is necessary at the same time to maintain the control of Government and the question is in what way this control can best be exercised. This question is a difficult one. It is not desirable that the Government should be cut off from all knowledge of what is happening in districts and departments, and it is only by means of reports that it can receive information. Reports therefore must be admitted to be a necessary element in the scheme of administration, and a useful purpose is served by their co-ordination and the review of varieties of practice. The Lieutenant-Governor does not think that the Government interferes unnecessarily or carries the practice of reviewing to excess. At the same time the exercise of control and the communication of knowledge are best secured by an officer who goes round and checks and advises on the spot. Our system lays stress on reports rather than on personal communications, and the Lieutenant-Governor thinks it should be possible by attaching greater weight to local inspections and insisting on their being effective to reduce the work of reporting everything to headquarters.

17. Lastly, the Lieutenant-Governor suggests an examination of the general system of work and correspondence in the offices of the Accountant-General. He would not in any way relax the stringency of the audit, but the department in which the audit is conducted imposes a heavy burden on district offices and the Lieutenant-Governor is far from being satisfied that the whole of this burden is necessary. He is not in a position at present to make any definite recommendations for lightening it. The Accountant-General's is a specialized department with the interior economy of which only Audit Officers are familiar, but the opinion is strongly held that in no other office is there greater scope for reduction of work. If, as the Lieutenant-Governor believes, the success of any scheme of decentralization is contingent on a large increase of staff, the reduction of work becomes a matter of the first importance, on financial as well as on administrative grounds, and the question of work in the audit department requires careful consideration.

I have the honour to be,
Sir,
Your most obedient Servant,
J. M. HOLMS,
Chief Secretary.

APPENDIX I.

Suggestions as to what delegation of further financial powers to the Government of the United Provinces is possible and desirable as regards the creation of new appointments, the enhancements of salaries, &c.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Creation and abolition of permanent and temporary appointments.	Article 283 (3) and (4), Civil Account Code.	The Local Government should have power to create, abolish, &c., permanent appointments with a pay of not more than Rs. 500 a month and to sanction temporary appointments and deputations with a greater pay for not more than twelve months. The present limits are Rs. 250 and six months. This would be subject to restrictions on the power of the Government of India as to the creation, abolition, &c., of appointments, and it would carry with it the power to sanction house rent allowance, local allowance, &c., up to this limit.
Ditto ...	Additions to salary.	Articles 72 and 74, Civil Service Regulations.	The Local Government should have power to sanction an honorarium or the acceptance of a fee from a private person not exceeding Rs. 1,000 instead of Rs. 500, the limit at present imposed.
Ditto ...	Officiating allowance to an officer without a substantive appointment.	Article 144, Civil Service Regulations.	The Local Government might be given the power to grant to an officer without a substantive appointment officiating in a permanent post an allowance exceeding half the pay of the post. At present this power is reserved to the Government of India where the pay of the appointment is not less than Rs. 100 per mensem.

APPENDIX II.

Suggestions as to what delegation of further financial powers to the Government of the United Provinces is possible and desirable in regard to restrictions imposed by the Civil Service Regulations or the Civil Account Code not relating to the creation of appointments, &c.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Pensions—Temporary service.	Article 368, Civil Service Regulations.	The Local Government should be given the power, at present exercised by the Government of India, of allowing temporary service to count for pension if the pension does not exceed Rs. 10 a month.
Ditto ...	Pensions—Exceptional promotion from inferior to superior service.	Article 399, Civil Service Regulations.	The Local Government should be given the power, at present reserved to the Government of India, of specially considering the claims to pension of an officer exceptionally promoted for meritorious service.
Ditto ...	Pensions—Inferior servant who performs duties of superior servant.	Article 402 (*a*), Civil Service Regulations.	The Local Government should have the power to decide whether a Government servant who bears an inferior designation, but performs duties ordinarily performed by a superior servant, should be allowed to count his service as superior.
Ditto ...	Pensions—Overstayal of leave.	Article 420 (*b*), Civil Service Regulations.	The restriction placed on the power of the Local Government to declare that an overstayal of leave does not involve forfeiture of past services, whereby such declaration must be made within a year, should be removed.
Ditto ...	Pensions—Condonation of interruptions in service.	Article 422, Civil Service Regulations.	At present condonation of an interruption in service exceeding three months, except where the pension proposed does not exceed Rs. 50 a month, requires the sanction of the Government of India or of the Secretary of State even although the pension is a provincial charge. In *all* cases where the pension is a provincial charge the Local Government should have power to condone interruptions in service whatever their duration.
Ditto ...	Compensation pensions on discharge.	Article 429, Civil Service Regulations.	The restriction that a compensation pension granted in a case of discharge or reduction of establishment may not exceed the saving effected without the sanction of the Government of India might be relaxed.
Ditto ...	Ditto ...	Article 434, Civil Service Regulations.	A reference is required to the Government of India when it is necessary to discharge an officer in consequence of a change in the nature of the duties of his office. This should be abolished.
Ditto ...	Ditto ...	Article 435, Civil Service Regulations.	A reference is required to the Government of India when of two appointments held by one officer, one is abolished and the other retained. This rule should be abolished.
Ditto ...	Special pension to certain officers.	Articles 475 and 642, Civil Service Regulations.	The Local Government might be given the power, at present reserved to the Government of India, of granting to certain officers holding definite appointments, e.g. Deputy Inspector-General of Police, an extra pension of Rs. 1,000 a year.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Wound or extraordinary pension, or gratuity in special cases.	Article 732, Civil Service Regulations.	The Local Government should be given the power, at present exercised by the Government of India, to relax in special cases, e.g. when an officer is wounded in an encounter with dacoits, the condition of service with a military force required to make him eligible for a wound or extraordinary pension admissible under article 730, Civil Service Regulations.
Ditto ...	Wound or extraordinary pension or gratuity to an officer killed or injured in the performance of a duty attended with extraordinary bodily risk.	Articles 739 and 740, Civil Service Regulations.	The Local Government should have power to grant in ordinary cases a gratuity not exceeding six months' pay or Rs. 1,000, whichever is greater, and under special circumstances a pension not exceeding Rs. 25 a month according to the scale prescribed. At present, if the pension exceeds Rs. 10 a month or the gratuity Rs. 600, the sanction of the Government of India is required.
Ditto ...	Extraordinary pension or gratuity in cases not covered by the rules.	Article 743, Civil Service Regulations.	The Local Government should have the power, at present exercised by the Government of India, to grant in such cases a gratuity not exceeding Rs. 1,000, or where injury or death is due to devotion to duty, a pension not exceeding Rs. 25 a month or a gratuity of equivalent amount.
Ditto ...	Contributions for pension.	Articles 776 and 802, Civil Service Regulations, and G. G. O. No. 962P. (Finance Department), dated the 17th February 1906.	The Local Government should have increased powers in accepting arrears of pensionary contributions, say up to a period of two years.
Ditto ...	Pensions—Relaxation of rule.	Article 924, Civil Service Regulations.	The Local Government might be authorized, as the Government of India is at present, to grant pensions not exceeding Rs. 10 a month or equivalent gratuities where nothing is admissible under the rule, provided that the spirit of the regulations is observed.
Ditto	Conversion of gratuities into annuities.	Article 941, Civil Service Regulations.	The Local Government should be granted the power, now reserved to the Government of India, of converting gratuities into annuities.
Ditto ...	Overstaying leave	Article 229, note (2), Civil Service Regulations.	The Local Government should have power to grant extensions of leave on medical certificate up to a week. This is at present reserved to the Government of India.
Ditto ...	Wound leave to officers not serving with a military force.	Article 733, Civil Service Regulations.	The Local Government should be given the power, at present reserved to the Government of India, of relaxing in certain special cases the condition as to service with a military force so as to make an officer eligible for wound leave.
Ditto ...	Interpretation of rules.	Article 4, Civil Service Regulations.	This power at present rests with the Government of India. It should be left to the Local Government, and the Accountant-General should be given power to refer to the Government of India any case where he thinks the interpretation is clearly wrong.
Ditto ...	Health certificates.	Article 50, Civil Service Regulations.	The Local Government should have the power, at present exercised by the Government of India, to accept a health certificate in other than the prescribed form.
Ditto ...	Extension of joining time.	Articles 180 (*b*) and 181, Civil Service Regulations.	The restrictions placed on the power of the Local Government to extend joining time beyond the period admissible by rules should be removed.
Ditto ...	Service before discharge.	Article 205 (*a*), Civil Service Regulations.	The Local Government should have the power, at present reserved to the Government of India, to allow service before discharge on reduction of establishment to count towards leave.
Ditto ...	Officers under training.	Articles 411 and 1083, Civil Service Regulations.	The Local Government shall have full power to grant travelling and other allowances to officers deputed for training either prior or subsequent to their joining an appointment and to allow the period of training to count towards pension. At present only in certain specified cases does such training count towards pension.
Ditto ...	Transfer to foreign service.	Article 753, Civil Service Regulations.	The Local Government should be given the power in special cases to waive the condition precedent of transfor to foreign service, a power at present, save where the transfer is for less than one year, exercised by the Government of India.
Ditto ...	Power to count foreign service towards increment.	Article 787, Civil Service Regulations.	The Local Government should be given, except in cases where the transfer is sanctioned by the Government of India, the power, at present reserved to that Government, of allowing foreign service to count towards increment.
Ditto ...	Travelling allowance, Officers who do not receive—.	Article 1040, Civil Service Regulations.	The Local Government has to report its proceedings to the Government of India for confirmation when it adds to the list of officers who are not entitled to travelling allowance for ordinary journeys within their jurisdiction. This restriction should be removed.
Ditto ...	Permanent monthly travelling allowance and conveyance allowance.	Articles 1048 and 1075, Civil Service Regulations.	The Local Government should be given the power, at present reserved to the Government of India, of sanctioning such allowances.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Permanent travelling allowance for forest officers.	Article 1049 (*b*), Civil Service Regulations.	The Local Government may be empowered to increase by a quarter or half the scale of permanent travelling allowance granted to forest officers where a charge is unusually extensive or travelling costly. This power now rests with the Government of India.
Ditto ...	Travelling allowance on joining first appointment.	Article 1083, Civil Service Regulations.	The Local Government should have full power to sanction travelling allowance to an officer joining his first appointment. At present, except in certain special cases, the sanction of the Government of India is required.
Ditto ...	Travelling allowance in special localities.	Article 1139, Civil Service Regulations.	The Local Government should possess the power, at present reserved to the Government of India, of allowing special rates of travelling allowance in certain localities.
Ditto ...	Remission of allowances wrongly drawn.	Article 279A Civil Account Code.	At present the sanction of the Government of India or of the Secretary of State is required to the remission of such an allowance where less than six months has elapsed between the date on which the allowance was drawn and the date of challenge. Provided that the amount was drawn in good faith, the power to remit such sums should be granted to the Local Government.
Ditto ...	Disposal of escheated property.	Article 280, Civil Account Code.	The Local Government should have power to dispose of escheated estates or property up to a limit of Rs. 10,000 instead of the present limit of Rs. 1,000.
Ditto ...	Alienation of general revenues in favour of a local or special fund.	Articles 283, 4, (9), Civil Account Code.	The rule requiring the sanction of the Government of India to such alienation should be relaxed. (In a recent case, when law classes previously held at a Government college were made over to the control of the Allahabad University, the alienation of the fee receipts had to be referred to the Government of India because the receipts from law classes elsewhere had exceeded the expenditure.)
Miscellaneous ...	Churches — Departure from ordinary scale of grants.	G. G. O. (Home department) No. 178 dated the 21st May 1897, part V, rules XIX and XX [issued apparently under article 283, (15) Civil Account Code].	The scales of accommodation and expense for churches laid down by the Government of India may not be exceeded without a reference to that Government. Within certain limits the Local Government might be granted a discretion in this matter, e.g. in the case noted in rule X, note 4, where abnormal rates prevail.
Ditto ...	Churches — Compensation for sittings.	G. G. O. (Home department) No. 178 dated the 21st May 1897, part V, rule XXXVIII.	Charges for compensation for sittings in churches which are not the property of Government require, when first claimed, the sanction of the Government of India. The rules are quite clear, and where the charge is provincial the Local Government might be empowered to sanction these.

APPENDIX III.

Suggestions as to how far, and in what matters, larger administrative powers should be given to the Government of the United Provinces in the application to local conditions of general lines of policy laid down by the Government of India.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Alienation of State lands.	G. G. O. (R. and A.) No. 5/329 dated the 20th June 1881 and G. G. O. (R. and A.) No. 243 dated the 22nd March 1873 (page 75 seq., department I, Manual of Government Orders).	Delegation to the Local Government of power to sanction— (*a*) Sales of land on favourable terms for a public purpose up to a limit of Rs. 10,000 instead of Rs. 1,000. At present such sales, where the full value of land exceeds Rs. 1,000, require the sanction of the Government of India. (*b*) Sales or exchanges of land for full value up to Rs. 25,000 instead of Rs. 10,000. At present such sales or exchanges, when the value exceeds Rs. 10,000, require the sanction of the Government of India. (*c*) Grants of land— (i) up to Rs. 10,000 in value instead of Rs. 3,000, when given as a site for the construction of Government schools, hospitals, dispensaries, and other public works at the cost of recognized local funds; (ii) up to Rs. 5,000, instead of Rs. 500, when given for any other public purpose or to a private individual for services to be performed to the State; (iii) up to Rs. 2,500, instead of Rs. 100, when the services are to be performed to the community. At present such grants require, in case (i) when the value exceeds Rs. 3,000, in case (ii) when the value exceeds Rs. 500, and in case (iii) when the value exceeds Rs. 100, the sanction of the Government of India.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Mines	G. G. O. (R. and A.) No. 18 — 17 – 2 dated the 20th May 1899 and G. G. O. (R. and A.) No. 23—111-1 dated the 23rd October 1895 (page 53 seq., department I, Manual of Government Orders).	Delegation to the Local Government of power— (i) to grant mining leases without restrictions as to the area of individual blocks or as to the total area which may be held by the lessee or those joint in interest with him. At present the area of a block over which a mining lease is granted by the Local Government may not exceed a maximum prescribed by the Government of India, and the total area held by a lessee or those joint in interest with him may not exceed 10 square miles (rule 19). (ii) to sanction the length of the block for which a lease is given being more than four times its breadth (rule 20). (iii) to include in the terms of a mining lease a covenant for renewal (rule 21). At present (ii) and (iii) require the sanction of the Government of India. (iv) to fix the rents and royalties to be paid under all mining leases. At present these are fixed by a scale prescribed by the Government of India (rule 22).
Appointment ..	Appointment of provincial Service Officers in reserved posts.	G. G. O. No. 347 dated the 15th May 1901.	The Local Government should be authorized to appoint a provincial Service Officer to officiate in any vacancy in a reserved post for a period not exceeding three months, whether the transfer of an officer is involved or not. At present such appointments can be made by the Local Government only for periods not exceeding six weeks, and the officers selected must be actually on duty at the place where the vacancy occurs.
Ditto ...	Appointment of temporary Civil Assistant Surgeons.	G. G. O. No. 1037 dated the 14th September 1907.	The Local Government should be allowed to exercise the power given to it under article 78, Civil Service Regulations, to appoint temporary Civil Assistant Surgeons in case of need, as, for example, when they are required to replace in the charge of headquarter dispensaries permanent Civil Assistant Surgeons temporarily appointed to the civil medical charge of districts resulting from the grant of leave to Commissioned Medical Officers. The exercise of this power was objected to on the ground that a reserve of Civil Assistant Surgeons had been fixed to meet all emergencies.

APPENDIX IV.

Suggestions as to how far, and in what matters, restrictions as to details imposed upon the Government of the United Provinces by law, or by rules having the force of law, can be relaxed with advantage.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Destruction of records.	Act III of 1879 ...	Delegation to the Local Government of power under section 5 to make rules under the Act without the sanction of the Government of India.
General ...	Appointments to the Local Legislative Council.	Section 45, Indian Councils Act, 1861.	At present appointments require the sanction of the Government of India. They might be made by the Local Government.
Separate Revenue (Excise).	Rules as to spirits, intoxicating drugs, &c.	Act XII of 1896 (the Excise Act).	The Local Government should have power to make rules as to many matters, especially in regard to drugs, to which the sanction of the Government of India is now required. [This question will be dealt with when a new Excise Act (based on the draft prepared by the Excise Committee) is passed by the Local Legislative Council. The new Act will allow of decentralization in many respects in matters of excise.]
Ditto ...	Rewards in opium cases.	Section 13 (*b*), Act I of 1878 (Opium Act).	This sub-section should be repealed. Instructions as to rewards should be given by executive order of the Local Government, as has been done in the case of rewards in excise cases, relating to liquor and drugs, according to the principles laid down by the Government of India.
Separate Revenue.	Rules as to process-serving establishment.	Sections 20, 22, and 23 of the Court Fees Act.	At present these rules, whether made by the High Court or by the Board of Revenue, require the approval of the Local Government and of the Government of India. The approval of the Local Government should be sufficient.
Municipal ...	Withdrawal of the Municipalities Act.	Section 191, U. P. Municipalities Act, 1900.	At present the sanction of the Government of India is required to the withdrawal of the Act from any town. This power should be vested in the Local Government.
Ditto ...	Imposition of taxes.	Section 59 — II, U. P. Municipalities Act, 1900.	The Local Government is empowered to sanction the imposition only of certain taxes in a municipality, and may not, save with the sanction of the Governor-General in Council, impose any other tax, e.g. a tax on circumstances and property. The Local Government should receive full power.

Department.	Subject.	Authority.	Suggestions.
Municipal ...	Abolition or reduction of taxes.	Section 66, U. P. Municipalities Act, 1900.	Where the Local Government wishes to abolish or reduce a tax otherwise than in accordance with the wishes of the municipal board it has to obtain the sanction of the Governor-General in Council. The Local Government should have full power in this respect.
Ditto ...	Cantonment boundaries.	Section 4, Cantonments Act, 1889.	The power of declaring the limits of a cantonment is at present exercised by the Government of India. The Local Government should be empowered to make changes in boundaries where both the Local Government and the General Officer Commanding the division are agreed.
Ditto ...	Cantonment taxation.	Section 17, Cantonments Act, 1889.	The sanction of the Government of India is required to the imposition, abolition, or modification of any tax in a cantonment. The general scheme of taxation for a cantonment or the abolition of any tax should be sanctioned by that authority, but the Local Government should be empowered, subject to the control of the Government of India, to modify any tax already sanctioned, e.g. to make changes in an octroi schedule where octroi has been imposed in a cantonment. Rules for the assessment and recovery of such taxes (for which at present the sanction of the Government of India is required) should be made by the Local Government subject to the control of the Government of India.
Ditto ...	Cantonments—Exemptions from taxation.	Section 20, Cantonments Act, 1889.	The power of exemption from cantonment taxation is at present vested solely in the Government of India. The Local Government should be given power, on the recommendation of the cantonment committee made through the local military authorities and subject to the control of the Government of India, to grant exemptions either individually or generally from cantonment taxation.

APPENDIX V.

Suggestions as to how far, and in what respects, extended powers regarding matters relating to revenue should be given to the Board of Revenue.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Government properties.	Board's circular No. 1—XI, rule 1.	Delegation to the Board of Revenue of power, at present reserved to Government, to sell (*a*) small escheats for full value, and (*b*) land bought in by Government, when put up for sale on account of arrears of land revenue, provided that in either case the land is under 20 acres and is not in or near a town.
Ditto ...	Alienation of State lands.	G. G. O. (R. and A.) No. 5/329 dated the 20th June 1881 and G. G. O. (R. and A.) No. 243 dated the 22nd March, 1873 (page 75 seq., department I, Manual of Government Orders).	Delegation to the Board of Revenue of power, at present reserved to the Local Government, to sanction sales or exchanges of land for full value up to Rs. 500.
Ditto ...	Special staff for measurement of alluvial mahals.	Board's circulars No. 7—I, rule 30; 8—I, rule 4, and rule 25 of the Bundelkhand rules.	Delegation to the Board of Revenue of power, now reserved to the Local Government, to sanction expenditure above Rs. 100 on special staff required to measure alluvial *mahals*. This will involve the grant to the Board of a provincial allotment to cover such expenditure and also expenditure below Rs. 100 when this has not been budgeted for by the Collector.
Separate Revenue (Excise).	Retail licenses for sale of foreign spirit.	Rule 43 (12), Excise Manual.	Power to open new shops for the sale of foreign spirit during the currency of a settlement, which is at present reserved to the Government, might be delegated to the Board of Revenue.
Ditto ...	Distilleries and breweries—Exemption from restrictions.	Rules 105 and 135, Excise Manual.	The power to exempt persons working distilleries and breweries from the restrictions and conditions of any of the rules should, where the exemption is temporary, say for one month, be delegated to the Board. This power is at present vested wholly in the Government.
Ditto ...	Duty-free issue of spirits of wine and methylated spirits.	Rule 117, Excise Manual.	The power to sanction the issue of spirits of wine and methylated spirits duty free to hospitals and dispensaries and to Government officers should be delegated to the Board. At present the Government prescribes the maximum quantities to be so issued to each officer. (This is not possible under sections 7 and 66 of the Excise Act, 1896, and section 1 of Act XVI. of 1863, but amendment is contemplated.)
Ditto ...	Forms (Opium)	Rule 425, Excise Manual.	The Board should be empowered to prescribe forms relating to opium without the sanction of the Government.

Suggestions as to how far, and in what respects, extended powers regarding matters relating to revenue should be given to the Commissioners of divisions.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Suspensions and remissions of land revenue.	Board's circular No. 6—III, rule 7.	The power to suspend and remit land revenue, at present reserved to Government, might be given to Commissioners in certain cases. But this will involve the amendment of section 51 of the Agra Tenancy Act (U. P. II of 1901), as at present suspensions and remissions of revenue in the Agra province by any authority other than the Local Government do not carry with them suspensions and remissions of rent in the Agra province. The section has been noted for amendment.
Ditto ...	Remissions of *takavi* advanced under Acts XIX of 1883 and XII of 1884.	Board's circular No. 1—VI, rule 53.	Delegation to Commissioners of power to remit up to Rs. 50 in each case and Rs. 1,000 in any one year (instead of the Board, which has power to remit up to Rs. 250 in individual cases, subject to a maximum of Rs. 10,000 in a year).
Ditto ...	Pensions... ...	Board's circular No. 2—VI, rules 10, 11, 16, 19, and 21.	Delegation to Commissioners of power to sanction, subject to an appeal to the Board— (1) the continuance of hereditary and transferable pensions (instead of the Board); (2) the division of such pensions among joint holders (instead of the Board); (3) the grant of a certificate to institute a suit in a civil court as regards a pension (instead of the Board); (4) the payment of arrears of hereditary and transferable pensions for periods not exceeding six years (the Commissioner can now sanction up to two years: the Board for longer periods); (5) the transfer of pensions referred to in (4) from one district to another (instead of the Board).
Ditto ...	Irrecoverable balances.	Board's circular No. 1—XI, rule 25. Board's circular No. 3—XI, rule 24.	Delegation of power to Commissioners to remit up to Rs. 500 irrecoverable rental balances in Government estates and all irrecoverable balances in estates under direct management (except those governed by rules in the Legal Remembrancer's Manual). At present Commissioner may remit up to Rs. 100 and the Board up to Rs. 1,000.

Suggestions as to how far, and in what respects, extended powers regarding matters relating to revenue should be given to Collectors and Deputy Commissioners.

Revenue ...	Pensions ...	Board's circular No. 2—VI, rule 10.	Delegation of powers to District Officers to sanction payment of arrears of hereditary and transferable pensions for periods not exceeding two years (instead of Commissioner).
Ditto ...	Extra assistants to revenue accountants for *takavi* work.	Item 3 of statement appended to G.O. (Financial department) No. 3586/X-472 dated the 18th August 1906.	Delegation to District Officers of power, at present exercised by Commissioners, to sanction extra assistants to revenue accountants for *takavi* work subject to the standard laid down by the Board for the entertainment of such assistants. Commissioners to be given a lump allotment for the purpose.
Ditto ...	Special staff for measurement of alluvial *mahals*.	Board's cirulars No. 7—I, rule 30; 8—I, rule 4, and rule 25 of the Bundelkhand rules.	Delegation to District Officers of power, at present exercised by Commissioners, to sanction expenditure up to Rs. 100 on the special staff required to measure alluvial *mahals*, provided provision has been made in the district budget.
Ditto ...	Irrecoverable balances.	Board's circular No. 1—XI, rule 25. Board's circular No. 3—XI, rule 24.	Delegation of power, at present, exercised by Commissioners, to Collectors to remit up to Rs. 100 irrecoverable rental balances in Government estates and all irrecoverable balances in estates under direct management (except those governed by rules in the Legal Remembrancer's Manual).

APPENDIX VI.

Suggestions as to how far, and in what respects, extended powers regarding matters of general administration should be given to the Board of Revenue.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Acquisition of land.	Land Acquisition Act (I of 1894).	Delegation to the Board of Revenue of powers at present vested in the Government under— (*a*) section 3 (*c*) to appoint officers to perform the functions of a Collector under the Act; (*b*) section 17 (1) to direct Collectors to take possession of land in cases of urgency, though no award has been made under section 11;

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Acquisition of land.	Land Acquisition Act (I of 1894).	(*c*) section 31 (3) to authorize Collectors to award compensation other than money ; (*d*) section 35 (1) to direct Collectors to procure temporary occupation and use of waste or arable land needed for any public use, or for a company, for any term not exceeding three years ; (*e*) section 48 (1) to withdraw from the acquisition of any land of which possession has not been taken ; (*f*) section 49 (2) to order the acquisition of the whole of the land of which the land first sought to be acquired forms a part where the claim made under section 23, sub-section I (thirdly), is considered to be excessive or unreasonable.

Suggestions as to how far, and in what respects, extended powers regarding matters of general administration should be given to Commissioners of divisions.

Revenue ...	Acquisition of land.	Land Acquisition Act (I of 1894).	Delegation to Commissioners of powers, at present reserved to the Local Government,— (1) to issue under section 4 the preliminary notification as regards land likely to be needed for any public purpose, and (2) to make under section 6 the declaration that land is required for a public purpose : Provided that in both cases the value of the land is not likely to exceed Rs. 1,000 ; the Commissioner obtaining the orders of Government if the case presents any special features. This delegation should apply also to land acquired for municipal and district boards under section 57, U. P. Municipalities Act, 1900, and section 49 of the U. P. District Boards Act, 1900.
Ditto ...	Powers to officers	Agra Tenancy Act (II of 1901) and U. P. Land Revenue Act (III of 1901).	Commissioners might be empowered to grant enhanced rent and revenue powers to assist collectors in their divisions, strictly in accordance with the rules laid down by Government to regulate the grant of such powers and to notify them. This will involve an amendment of the law [section 15 (1), U. P. Act III of 1901, and section 172, U. P. Act II of 1901], which confines this power to Government.
Ditto ...	*Kurk amins.*	Board's Circular No. 22—II.	Delegation to Commissioners of power, at present reserved to the Local Government, to sanction the entertainment of temporary *kurk amins* within the limits of a lump allotment to be placed at their disposal for this purpose.
Appointment ...	Leave, transfers, and promotions of gazetted officers.	Pages 19 and 20, department II, Manual of Government Orders. See article 841 (*a*), Civil Service Regulations.	Commissioners (instead of Government) to be empowered to grant and notify privilege leave to deputy collectors serving in districts where the staff is not in excess of sanctioned scale and no substitute is needed. The reserve must be in the hands of Government.
General ...	Exemption of subordinate officials from the educational test.	Page 161, department III, Manual of Government Orders.	At present exemptions require the sanction of Government. Power of exemption might be delegated to Commissioners in specified districts where it is shown to be necessary on the ground of difficulty in obtaining men who have passed the required examinations.
Judicial (Criminal).	Power to appoint honorary magistrates and accept their resignations.	Section 14, Criminal Procedure Code.	The Local Government to be given authority to delegate the power to Commissioners.
Ditto ...	Passing of sentences of whipping.	Section 32, Criminal Procedure Code.	Ditto ditto.
Ditto ...	Appointment of village headmen.	Section 45 (3), Criminal Procedure Code.	Ditto ditto.
Ditto ...	Power to issue order in urgent cases of nuisance or apprehended danger.	Section 144 (5), Criminal Procedure Code.	Ditto ditto.
Ditto ...	Power to enquire and report on suicides, &c.	Section 174, Criminal Procedure Code.	Ditto ditto.
Ditto ...	Cognisance of offences by Magistrates.	Section 190 (1), Criminal Procedure Code.	Ditto ditto.
Ditto ...	Power to commit for trial.	Section 206, Criminal Procedure Code.	Ditto ditto.
Ditto ...	Power to try summarily.	Section 260, Criminal Procedure Code.	Ditto ditto.
Ditto ...	Appointment of visitors of prisons.	Section 60 (2), Prisoners Act (IX of 1894).	Power to appoint non-official visitors, exercised by the Local Government, to be delegated to Commissioners.

Department.	Subject.	Authority.	Suggestions.
Municipal ...	Appointment and removal of members of a Municipal Board.	Sections 9, 10, 15, and 16, U.P. Municipalities Act, 1900. Rules, pages 87 and 88, Municipal Manual.	The power to appoint members, except in the case of casual vacancies in smaller municipalities, has hitherto been reserved to the Government : so also the power to remove members who have become incapable of acting, &c. The power of appointment and removal should be vested in the Commissioner, who might refer any case which appeared to require the orders of Government.
Ditto ...	Approval of election of Chairman of a Municipal Board.	Sections 20, 23, and 25, U. P. Municipalities Act, 1900.	The Commissioner should receive the power, at present exercised in the more important municipalities by the Government, of approving the election of a Chairman or appointing a Chairman when a vacancy has lasted for more than three months. With this would go the power to accept the resignation of a Chairman so elected or appointed. (This will not affect municipalities for which the Chairman is regularly appointed.)
Ditto ...	Removal of Vice-Chairman of a Municipal Board.	Section 24, U.P. Municipalities Act, 1900.	The power to remove a Vice-Chairman who has become incapable of acting, &c., which is at present reserved to the Government, should be delegated to Commissioners.
Ditto ...	Grant of gratuities and annuities to municipal servants.	Sections 42 (2) to (5), U. P. Municipalities Act, 1900.	Power to sanction the purchase of an annuity for, or to grant an extraordinary pension or gratuity to any municipal servant, which is at present reserved to the Government, might be delegated to Commissioners, with a discretion to refer doubtful cases to Government for orders.
Ditto ...	Municipal rules of regulation and control— Hackney carriage rules—Lodging house rules — Vaccination rules.	Sections 133, U. P. Municipalities Act, 1900. Hackney Carriage Act, 1879, sections 3 and 5. U. P. Lodging House Act, 1892, section 8.	Rules made by boards under the Hackney Carriage Act, under the Lodging House Act, under the Vaccination Act, and under chapter VII of the U. P. Municipalities Act, 1900, for the regulation of traffic, slaughter houses, water sources, &c., at present require the confirmation of the Government and publication in the Government Gazette. The approval of the Commissioner, with local publication where possible, should be sufficient.
		Vaccination Act, 1880, section 19.	The application to municipalities of certain sections of chapter VII of the U. P. Municipalities Act, 1900, would continue to require Government sanction, but the Commissioner might sanction the application of rules framed by a municipality under the Hackney Carriage Act to adjacent roads and railway stations.
Ditto ...	Transfers of municipal property.	G. O. No. 274/XI—108C. dated the 5th February, 1901 (page 97 of the Municipal Manual).	The Commissioner may not at present sanction any transfer of immovable property belonging to a Municipal Board save where the capital value of the property does not exceed Rs. 500 or where the property is given on a lease without a premium and at a reasonable rent for a term not exceeding thirty years. The Commissioner should be given full power to sanction transfers of immovable property vested in a Municipal Board, and he should direct whether the whole or part of the compensation received by the Board, where such immovable property is acquired under the Land Acquisition Act, 1894, should be invested. At present this power rests with the Local Government.
Ditto ...	Municipal budgets.	Rules 20 to 24, Municipal Account Code.	Commissioners pass orders on all municipal budgets, but send to the Government with their orders the budgets of the first class municipalities and of those which are in debt to the Government. District Magistrates should pass the budgets of less important municipalities, while other budgets should be passed by Commissioners, and the Government should see the budgets only of a few specified municipalities.
Ditto ...	Irregular expenditure by Municipal Boards.	G. O. No. 1756/XI—626B. dated the 4th June 1903.	At present the sanction of the Government is required to overrule any objection by the Local Audit Department or to write off the item objected to. The sanction of the Commissioner should suffice except in cases where he considers the sanction of the Government to be necessary.
Ditto ...	Collection of taxes by a farmer.	G. O. No. 274/XI—103C. dated the 5th February 1901 (page 111, Municipal Manual).	The sanction of the Local Government is required to the farm of a tax and to the period for which the farm will hold good. The sanction of the Commissioner should be sufficient.
Ditto ...	Composition for municipal taxes.	Section 64, U. P. Municipalities Act, 1900, and rules on page 114, Municipal Manual.	At present the confirmation of the Local Government is required to a composition made for octroi and certain other taxes. This power should be delegated to Commissioners subject to a scale prescribed.
Ditto ...	Establishment of a branch octroi office.	Rule 30, Municipal Account Code.	The previous sanction of the Local Government is required to the establishment of a branch octroi office. The Commissioner may be authorized to sanction this after consulting the Accountant-General in the Local Audit Department.
Ditto ...	Refunds of octroi duty.	Rules 73(9), Municipal Account Code.	In a municipality where octroi is newly imposed, the Local Government prescribes the period up to which refunds of octroi shall not be given. This power shall be delegated to Commissioners.

Department.	Subject.	Authority.	Suggestions.
Municipal ...	Establishment of a bonded warehouse.	Rule 109, Municipal Account Code.	The power to exempt a municipal board from the rule requiring it to maintain a bonded warehouse, which is at present vested in the Local Government, should be granted to Commissioners subject to the condition that they obtain the opinion of the Accountant-General in the Local Audit Department before passing orders.
Ditto ...	Taxation in notified areas.	Section 194 (1) (*a*), U. P. Municipalities Act, 1900.	The Local Government may impose in any notified area any tax which could be imposed there if the notified area were a municipality. Any subsequent modification of the rate of tax must also be sanctioned by the Local Government. The Government should retain the power to determine the general scheme of taxation in any place which is constituted a notified area, but all details, such as changes in the octroi schedule where octroi exists, might be left to the Commissioner.
Ditto ...	Cantonments—Leases extending over twelve months.	Cantonment Code, 1899, section 60.	For leases of land other than building leases extending over twelve months the concurrence of the Local Government must be obtained by the General Officer Commanding the division. The concurrence of the Commissioner should be sufficient.
Ditto ...	Cantonments—Erection of public buildings or buildings reserved for civil officers.	Cantonment Code, 1889, section 258.	Land in a cantonment cannot be given for such buildings without the concurrence of the Local Government. The concurrence of the Commissioner should be sufficient.
Ditto ...	Cantonments—House accommodation.	Section 10, Cantonments (House Accommodation) Act, 1902.	After the Act has been applied to any cantonment no house can be occupied for the purposes of a hospital, bank, hotel, shop, or school or by a railway administration without the previous sanction of the General Officer Commanding the division, given with the concurrence of the Local Government. The concurrence of the Commissioner should be sufficient.
Local Self-Government.	Appointment of members of District Boards.	Section 4 (2) (*b*) United Provinces District Boards Act, 1906.	Power to appoint non-elected members of District Boards, which is at present reserved to the Government, might be delegated to Commissioners of divisions.
Ditto ...	Removal of members.	Section 10, United Provinces District Boards Act, 1906.	Power to remove any member of a District Board who refuses to act, or becomes subject to some serious disqualification, might be delegated to Commissioners of divisions. It is at present reserved to the Government.
Ditto ...	Approval of election of Chairman.	Section 13, United Provinces District Boards Act, 1906.	Power to accept the election of a Chairman by a District Board—or, where an election has not taken place in due time, to appoint a Chairman—a power at present reserved to the Government, might be delegated to Commissioners of divisions. Cases in which the Commissioner does not accept the nomination might be referred to the Government.
Ditto ...	Purchase of annuities and grant of extraordinary pensions and gratuities to District Board employés.	Section 32, United Provinces District Boards Act, 1906, and rules 28 and 30 on page 84, District Board Manual (G.O. No. 1743—IX-24 dated the 31st October 1906).	Power to sanction the purchase of an annuity for, or to grant an extraordinary pension or gratuity to, any District Board servant, which is at present reserved to the Government, might be delegated to Commissioners of divisions, with a discretion to refer doubtful cases to the Government for orders.
Ditto ...	Public Works ...	Rule 12 on page 307, District Board Manual (G.O. No. 1742—IX-24 dated the 31st October 1906).	District Board works costing over Rs. 10,000 require the administrative sanction of the Government. The limit of the works which may be sanctioned by the Commissioner might be raised.
Miscellaneous ...	Remissions of ferry lease money.	G.O. Nos. 2104—XI-884 C. dated the 8th September 1900 and 813—XI-108 C. dated 22nd March 1901.	Power to sanction all remissions of ferry lease money might be delegated to Commissioners of divisions. At present only the Government is authorised to sanction remissions exceeding 20 per cent. of the lease money of any individual ferry or a reduction made before the expiry of the lease.
Ditto ...	Auction of ferry leases.	Section 8, Northern India Ferries Act, 1878.	The approval of the Government is at present required to the letting by public auction for a term exceeding five years or otherwise than by public auction for any term. This power should be delegated to the Commissioner.
Ditto ...	Cemeteries—Erection of monuments.	G. G. O. (Home Department) No. 178 dated the 21st May 1897, part I, rule XVI.	The sanction of the Local Government is required to the erection of a monument exceeding 8′ × 4′ in a Government cemetery. The Commissioner should be the sanctioning authority.

Suggestions as to how far, and in what respects, extended powers regarding matters of general administration should be given to Collectors and Deputy Commissioners.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	District ministerial establishments.	Board's circular No. 1—IX, rule 3.	Delegation to District Officers of power to make appointments and promotions to all posts under them, except those of head clerks and treasury head clerks, without the sanction of the Commissioner, at present required in respect of appointments for periods exceeding three months to posts carrying a salary of over Rs. 50.
Ditto ...	Temporary vacancies among tahsildars.	Board's circular No. 4—IX, rule 42.	Delegation to District Officers of power to appoint up to three months subject to the condition that a listed candidate, if available, is appointed. At present vacancies lasting for more than a month are filled up by listed candidates appointed by the Board of Revenue.
Ditto ...	Appointment of extra money testers.	Board's circular letter No. $\frac{7}{IX-3}$ dated the 26th February 1894 and item 5 of the statement attached to G.O. (Financial department) No. $\frac{3586}{X-472}$ dated the 18th August 1906.	Delegation to District Officers of power (at present vested in Commissioners) to appoint extra money testers— (1) at headquarters treasuries on the conditions laid down in the order printed at page 34 of the Manual of Government Orders, department X; (2) at certain *tahsil* treasuries when required: Provided that in both cases the appointments are within the limit of the amounts placed at their disposal.
Ditto ...	(1) Extra record room establishment. [Copyists and weeders (English and vernacular), arrangers, and bundle lifters.] (2) Messengers for collection of supplies for troops. (3) Process serving establishment— (*a*) extra peons for collection of arrears of revenue; (*b*) extra rent suit process servers.	Board's circular No. 2—III, rule 13. Board's circular No. 2—IX, rule 4. Board's circular No. 25—IX, rule 3. Board's circular letter No. $\frac{7}{IX-3}$ dated the 26th February 1894 and items 4, 6, 7, and 14 of statement appended to G.O. (Financial department) No. $\frac{3586}{X-472}$ dated the 18th August 1906.	Delegation to District Officers of power, at present vested in Commissioners of divisions, and as regards English weeders in the Board of Revenue, to sanction the entertainment of these extra establishments so long as the allotment made under each head is not exceeded.
Ditto ...	Mines	G. G. O. (R. and A.) No. 18—17-2 dated the 20th May 1899 and G. G. O. (R. and A.) No. 23—111-1 dated the 23rd October 1895 (page 53 seq., department I, Manual of Government Orders).	The Collector should be empowered to grant a prospecting license without the certificate of approval by the Local Government of the applicant now required by rule 11 (3). This certificate may be dispensed with.
Ditto ...	Ditto ...	Ditto ...	The Collector need not be required to report his refusal of a prospecting license to the Local Government (rule 13).
General... ...	Licenses to possess petroleum other than dangerous petroleum in bulk granted under section 11, Act VIII of 1899; and licenses to possess or transport dangerous petroleum above 40 gallons granted under section 5 or section 6, Act VIII of 1899.	Rule 16, page 108, department III, Manual of Government Orders.	The first license should be issued by Government, but subsequent annual renewals might be granted by District Magistrate. At present all such licenses are issued under the signature of an Under-Secretary to Government.

Department.	Subject.	Authority.	Suggestions.
Municipal ...	Boundaries of a municipality.	Sections 4 to 7 and 188, U. P. Municipalities Act, 1900.	The present law requires the Local Government to define the limits of an area to which the Act may be applied. The limits of areas subsequently included in, or excluded from, those limits must also be notified by the Local Government. The Local Government should continue to apply the Act to any town, but the power to fix or to alter the boundaries within which the Act should apply should be delegated to the District Magistrate. (The provisos to sections 4, 6, and 188, requiring the previous sanction of the Governor General in Council in the event of the area affected being part of a cantonment, should not be changed.)
Ditto ...	Conservancy arrangements in police lines within municipalities.	G.O. No. 1414/XI—925B. dated the 4th June 1900 (page 163, Municipal Manual).	It has been customary to refer to the Government the question of the charge to be made by a Municipal Board for the conservancy of the police lines. The District Magistrate should be authorized to accept such a charge on behalf of the Government.
Ditto ...	Municipal budgets.	Rules 20 to 24, Municipal Account Code.	District Magistrates should be given the power of passing the budgets of all municipalities with a population of less than 50,000 with certain special exceptions, e.g. Mussooree and Naini Tal. At present all municipal budgets are submitted for sanction to Commissioners.
Ditto ...	Transfers of municipal property.	G.O. No. 274—XI—108C. dated the 5th February 1901 (page 97, Municipal Manual).	A Municipal Board may not without the sanction of the Commissioner or of the Government transfer any immovable property vested in itself except by way of a lease without a premium and at a reasonable rent for a term not exceeding five years. The District Magistrate should be empowered to sanction any transfer where the capital value of the property does not exceed Rs. 500 and in other cases the grant of a lease without a premium and at a reasonable rent for a term not exceeding thirty years.

APPENDIX VII.

Suggestions as to how far, and in what respects, extended powers regarding matters relating to the Court of Wards should be given to (a) the Board of Revenue, (b) Commissioners, (c) Collectors and Deputy Commissioners.

Section 41, United Provinces Act III of 1899, which will need alteration.

a. To delegate to the Board of Revenue as Court of Wards the power, now vested in Government, to release all estates except those in which the liquidation of debts has not been completed, or of which the liquidation is impracticable within a reasonable period.

b. To delegate to Commissioners powers, now exercised by the Board :—

Rule 37, Court of Wards Manual.
(1) To allow Court of Wards managers to take charge of other estates which are, or may come, under Government management for any reason ;

Rule 95, Court of Wards Manual.
(2) to pass orders on proposals for renewal of bonds for arrears of rent ;

Rule 221, Court of Wards Manual.
(3) to make over, or refuse to make over, particular records to proprietors ;

Rule 360, Court of Wards Mauual.
(4) to sanction additional allotments up to 10 per cent. on the gross income in the case of budgets passed by the Board, the Board being informed (Commissioners can already sanction transfers up to Rs. 2,000.)

Rule 362, Court of Wards Manual.
(5) to transfer from one head to another in the budgets of estates with an income of Rs. 50,000 and over ;

Rule 188, Court of Wards Manual.
(6) to sanction the institution or defence of civil suits in which less than Rs. 10,000 is involved ;

Rule 113, Court of Wards Manual.
(7) to sanction investments or purchases of property up to Rs. 10,000 ;

(8) to deal with and settle questions of account raised at the audit of Court of Wards accounts.

c. To delegate to Collectors powers, now exercised by Commissioners :—

Rule 357, Court of Wards Manual.
(1) to transfer from one sub-head to another of the same head in the budget ;

Rule 73, Court of Wards Manual.
(2) to appoint to all posts in Court of Wards estates under their charge except to those of managers and assistant managers and of head clerks, general superintendents, and *peshkars* in special managers' officers ;

Rule 343, Court of Wards Manual.
(3) as regards estates with an income not exceeding Rs. 10,000 per annum.

APPENDIX VIII.

Suggestions as to the possibility and desirability of allowing Commissioners and Collectors to control, to a greater extent than at present, expenditure in their divisions or districts and the extent to which this can be done.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Entertainment of temporary establishment.	Article 78, Civil Service Regulations.	The power of sanctioning temporary establishment can be extended, especially in the case of Collectors. Every officer who has power to sanction temporary establishment should be given an allotment for this purpose.

APPENDIX IX.

Suggestions as to delegation of powers now vested in the Local Government by the Civil Service Regulations or other financial rules to Heads of Departments or Commissioners of divisions or other subordinate authorities.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Budget transfers	G, G. O. No. 4783 dated the 2nd August 1904.	At present Heads of Departments can transfer only items of the same minor head within a district, although certain Heads of Departments can transfer within a minor head within and between districts, and the Board of Revenue can transfer within a major head within and between districts in any budget submitted through them. They cannot, however, deal with contract grants, salaries, or establishments generally. This last restriction should remain, as also the restrictions noted below, but subject to these the following powers to sanction transfers should be granted :— A Collector should be empowered to sanction transfers within his own district within a minor head of the miscellaneous budget or of a departmental budget with which he is concerned. A District Judge should be empowered to sanction transfers within his own district within a minor head of any budget with which he is concerned. A Settlement Officer should be empowered to sanction transfers within his budget. A Commissioner may sanction transfers within any major head of the miscellaneous budget, or within any minor head of any department budget, with which he is concerned, and in either case within and between districts of his division. A Head of a Department may sanction transfers within any major head in his budget, and within and between districts. The Board of Revenue may sanction transfers within a major head under their control and within and between districts. Transfers to or from— 3—Land Revenue— Survey and settlement, Encumbered Estates, Government estates (other than Tarai and Bhabar estate), should not be made without the sanction of the Board. Tranfers to or from— 3—Land Revenue— Government estates—Tarai and Bhabar, 18—General Administration, all minor heads, 25—Political, all minor heads, 20—Police— Criminal Investigation department, Railway police. 22—Education— University. 24—Medical— Medical Schools and College— should not be made without the sanction of the Government.
Ditto ...	Power to grant pensions.	Articles 918, 919, and 921, Civil Service Regulations.	In a case falling strictly within the letter of the regulations the Local Government has power to grant the pension admissible, but Commissioners of divisions and the Inspector-General of Police have power to grant pensions to men drawing twenty rupees a month or less in cases where such claims are certified by the Audit Officer to be admissible under the strict letter of the regulations. It is proposed to delegate the power of sanction to the officer who appoints to the post, e.g. the collector should grant pensions to clerks drawing less than Rs. 50, and the Commissioner should deal with district head clerks and with men in his own office. The Board of Revenue might deal even with the cases of tahsildars. The Local Government should retain the power to grant pensions to Gazetted Officers, and in the case of any officer no reduction of the pension ordinarily admissible should be made without the orders of the Government.
Ditto ...	Pensions—Condonation of interrruption in service.	Article 422, Civil Service Regulations.	At present no Heads of Departments exercise power to condone interruptions in service. The authority otherwise empowered to grant a pension should have power to condone interruptions not exceeding three months in all.
Ditto ...	Pensions—Condonation of interruption between settlement and other service.	Note to article 422, Civil Service Regulations.	The Board of Revenue should be given the power to condone short interruptions between settlement and subsequent qualifying service and to declare the whole to be continuous. This power is at present exercised by the Local Government.
Ditto ...	Pensions—Condonation of deficiency in service.	Article 423, Civil Service Regulations.	At present only the Government can condone a deficiency in service. The authority otherwise empowered to grant a pension should have power to condone a deficiency of three months, or, if the officer applying for a pension, besides his qualifying service, has rendered service paid from the general revenues but not counting for pension, or, if claiming a pension for superior service, has rendered also inferior service, to condone a deficiency in the qualifying service not exceeding half the non-qualifying or inferior service, and also not exceeding twelve months in all.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Grant of pension in cases in which a portion of the service is not clearly proved from official records.	Article 908, Civil Service Regulations, and G.O. No. 2885 X—P.-157 dated the 28th June, 1899.	All these cases are at present referred to the Local Government. The authority having power generally to grant the pension should be given the power to grant a pension in such a case also where the service is otherwise proved.
Ditto ...	Commutation of absence without leave.	Article 232, Civil Service Regulations.	Some power might be delegated to Heads of Departments as to the commutation of periods of absence without leave into leave without allowances. At present only the Local Government can order such commutation.
Ditto ...	Commutation of leave.	Article 232, Civil Service Regulations.	This requires the sanction of the Local Government at present. Officers empowered to grant leave should have the power to commute inadmissible leave.
Ditto ...	Remission of allowances wrongly drawn.	Article 279A, Civil Account Code.	Allowances wrongly drawn cannot be remitted except by the Government. In the case of leave allowances wrongly drawn, where the period which elapsed before they were challenged was not less than six months, the authority empowered to commute the leave should be competent to sanction remission of excess allowances drawn in good faith, subject to a limit of, say, Rs. 250.
Ditto ...	Age limit ...	Article 51, Civil Service Regulations.	At present the sanction of the Local Government is required to the appointment to Government service of men whose age exceeds twenty-five years. Power should be delegated to the Directors of Land Records and Agriculture and Public Instruction in respect of appointments of assistant registrar kanungos and teachers respectively, provided that the age of the men appointed does not exceed thirty or perhaps thirty-five years of age.
Ditto ...	Journeys beyond the limits of the province.	Article 57, Civil Service Regulations.	The Local Government has power to authorize any of its officers to proceed on duty to any part of British India, whether within or beyond its own jurisdiction or to any foreign state or settlement adjoining its jurisdiction. Some power might be delegated to subordinate officers, particularly the Inspector-General of Police, with reference to the deputation of non-gazetted officers to attend fairs, &c., outside the province as detectives.
Ditto ...	Additions to salary.	Note to Article 72 (*b*), Civil Service Regulations.	A recurring allowance in addition to salary at present requires the sanction in most cases of the Local Government. Some power should be delegated to Heads of Departments. It should not be necessary to obtain the sanction of Government to the payment of a rupee or two a month to a constable for the registration of births and deaths.
Ditto ...	Charge allowances.	Articles 95 and 161, Civil Service Regulations.	The power to sanction charge allowances, at present vested in the Local Government, may, subject to certain specified restrictions, be delegated to Heads of Departments and Commissioners of Divisions.
Ditto ...	Extensions of joining time.	Article 180, Civil Service Regulations.	Some power with regard to the extension of the joining time admissible by rule, which at present requires the sanction at least of the Local Government, might be given to Heads of Departments.
Ditto ...	Allowance during joining time to officer without a substantive appointment.	Article 188, Civil Service Regulations.	The power to allow an officer without a substantive appointment transferred from one officiating office to another, to draw an allowance during joining time, is at present generally vested in the Local Government. It should be delegated to Heads of Departments in respect of officers serving under them.
Ditto ...	Re-employment of pensioners.	Articles 520 to 524, Civil Service Regulations.	Power to sanction the re-employment of pensioners, subject to definite conditions laid down, now rests with the Local Government. It might be delegated to Heads of Departments.
Ditto ...	Payment of arrears of pension.	Articles 956 to 957, Civil Service Regulations.	At present for the payment of arrears of pension where they exceed Rs. 1,000 or where the pension is to be drawn for the first time, the sanction of the Local Government obtained through the Accountant-General is required. The sanction of the Collector should suffice. (The Local Government is empowered to make this delegation.)
Ditto ...	Payment of arrears of pension to heirs of deceased pensioners.	Article 959, Civil Service Regulations.	Where the claim of the heirs of a deceased pensioner to arrears is deferred for six months (unless the case is simple and the arrears do not exceed Rs. 100) the sanction of the Local Government is required to payment. This power might be delegated to Collectors. (The Local Government is empowered to make this delegation.)
Ditto ...	Travelling allowance, carriage of horses, &c., halting allowance.	Articles 1000, 1056, and 1061, Civil Service Regulations.	Delegations on these points, which have already to some extent been allowed, might be extended.
Ditto ...	Expenses of journey to appear before a medical board.	Article 1138, Civil Service Regulations.	Heads of Departments and Commissioners of Divisions should be authorized to sanction the payment to officers serving under them of an allowance to cover the expenses of travelling to appear before a medical board where the officer applies *voluntarily* to appear before the board. In such a case at present the sanction of the Local Government is required.

Department.	Subject.	Authority.	Suggestions.
Financial ...	Claims to arrears of pay and allowances.	Article 5 (*c*), Civil Account Code.	The sanction of the Government is required to the investigation of claims to arrears of pay and allowances which have remained in abeyance for two years. The sanction of the Head of the Department concerned or of the Commissioner should be sufficient.
Ditto ...	Petty recurring charges.	Article 98 (*m*), Civil Account Code.	The rule that no charge which binds Government beyond a single payment may be incurred without the sanction of the Government should not apply to expenditure from a contract grant, e.g. for the washing of clothes at a hospital.
Ditto ...	House-building advances.	Article 136, Civil Account Code.	At present house-building advances require the sanction of the Government. It would seem sufficient that Government would lay down the general rule, e.g. that advances should be allowed in such and such a place or to the clerks of a particular office, and that the actual grant of the advance in individual cases should be left to the Head of the office concerned.
Ditto ...	Irrecoverable value of stores or money.	Article 279, Civil Account Code.	Authority to write off losses up to Rs. 200 has been given to Commissioners and Heads of Departments, but the delegation might well be carried further, and increased power should be given to Collectors in this respect.
Miscellaneous ...	Purchase of tents	Article 1042, Civil Service Regulations.	The Civil Service Regulations require the Government to lay down a scale of tents, but it has hitherto been customary for this Government to sanction the purchase of tents. The latter power may be delegated to Heads of Departments and to Commissioners. (This is at present under consideration.)
Ditto ...	Purchase of books	Article 98 (*e*), Civil Account Code.	Heads of Departments, Commissioners, and Collectors should be allowed to purchase books within the limits of the amounts entered for the purpose in their budgets. This power at present generally rests with Government. (The question is now under consideration as the Government of India have authorized such delegation.)
Ditto ...	Stores	Article 98 (*k*), Civil Account Code.	The sanction of the Local Government is at present required to the purchase in the local market of articles of European manufacture where these exceed Rs. 50 in value. The limit should be raised to Rs. 100.
Ditto ...	Typewriters ...	Article 98 (*v*), Civil Account Code.	Power to indent for typewriters may be delegated, subject to definite conditions, from the Local Government to the Head of the office concerned.
Ditto ...	Churches—Minor grants and supply of articles.	G. G. O. (Home department) No. 178 dated the 21st May 1897, part V, rules XVIII and XXIV.	Grants for churches made from provincial funds are sanctioned by the Local Government subject to limitation contained in the rules prescribed by the Government of India. If the restrictions remain this power might, as regards some of the minor matters, e.g. supply of Bibles and hymn books, for which sanction is required, be delegated to Commissioners.

APPENDIX X.

Suggestions as to how far the right of appeal to the Local Government, now granted to officers of Government against orders affecting them personally, should be curtailed as unnecessarily liberal.

Department.	Subject.	Authority.	Suggestions.
Judicial (Civil)	Dismissal and removal of ministerial officers of civil courts in Agra.	Section 30, Bengal, North-Western Provinces, and Assam Civil Courts Act (XII of 1887).	Appeals may lie to High Court instead of to Government. High Court's order to be final.

APPENDIX XI.

Suggestions as to the curtailment of the right of appeal to the Board, Commissioners, and Heads of Departments.

Department.	Subject.	Authority.	Suggestions.
Appointment ...	Removal or dismissal of naib-tahsildars.	Section 17, U. P. Act III of 1901 (Land Revenue Act), and rule 4, Board's circular No. 7—IX.	Power of removal or dismissal of naib-tahsildars now delegated by the Local Government to the Board of Revenue should be delegated to Commissioners.

Department.	Subject.	Authority.	Suggestions.
Appointment ...	Punishment of supervisor, registrar, and assistant registrar kanungos.	Rules 14 to 16, Board's circular No. 4—VII, and rules 5 and 5A. Board's circular No. 3—VII.	Orders of a Collector inflicting punishments, short of removal or dismissal, should be final, and an appeal should not lie as at present under the Land Revenue Act. The power of the Board in revision is enough. The Collector should have the power, now vested in the Commissioner, to remove or suspend a supervisor kanungo, as he has in the case of registrar and assistant registrar kanungos, an appeal lying to the Commissioner, and a second appeal to the Board if the pay is over Rs. 50 per mensem.
Ditto ...	Appointment and punishment of patwaris.	Chapter I, Board's circular No. 1—VII, and chapter X, U. P. Act III of 1901.	At present appeals against orders relating to the appointment and removal and dismissal of patwaris are governed by chapter X of the Land Revenue Act. The order of the Collector, whether original or appellate, in cases of appointment and punishment (short of removal or dismissal) of patwaris, should be final, an appeal lying to him if such orders are passed by an Assistant Collector The order of the Collector removing or dismissing a patwari should be appealable to the Commissioner only. This will involve an amendment of the Act.
Ditto ...	Apppointment of *lambardars*.	Section 45 and chapter X, U. P. Act III of 1901.	At present appeals against orders relating to the appointment of *lambardars* are governed by chapter X of the Land Revenue Act. The Collector's appellate order in this matter should be final, an appeal lying to the Collector against the order of an Assistant Collector as at present. This will involve an amendment of the Act.
Ditto ...	Second appeals against orders of punishment of revenue officials.	Rule 12, Board's circular No. 1—IX.	A second appeal now lies to the Board against appellate orders passed by a Commissioner in cases of dismissal of an official drawing a salary of over Rs. 30 per mensem. This limit should be raised to Rs. 50 per mensem.

APPENDIX XII

Other suggestions regarding the grant of extended powers to Heads of Departments or officers under the Local Government other than the revenue officials already mentioned.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Readjustments of patwari circles.	Section 21, U. P. Act III of 1901, and Board's circular No. 9—VII.	Delegation to Director of Land Records and Agriculture of power, at present vested in the Board under section 21 of the Land Revenue Act (U. P. Act III of 1901), to sanction readjustments of patwari circles when no extra expenditure is involved. The section has been noted for amendment.
Ditto ...	Appointment of assistant patwaris to overworked circles.	Board's circular No. 9—VII.	Delegation to Director of Land Records and Agriculture of power, at present vested in the Government, to appoint assistant patwaris to overworked circles, provided that their pay can be met from the lump allotment, to be given him in the budget of his department, for the entertainment of temporary establishment and other purposes.
Ditto ...	Agricultural publications.	...	Delegation to Director of Land Records and Agriculture of power, at present exercised by Government, to control distribution lists of purely agricultural publications.
Ditto ...	Statistical and arboricultural manuals.	...	Delegation to Director of Land Records and Agriculture of power to make alterations in the statistical and arboricultural manual, when based on the orders of the Government of India or of this Government.
Appointment ...	Leave, transfers, and promotions of Gazetted Officers.	See article 841 (*c*), Civil Service Regulations.	Heads of Departments (instead of Government) to be empowered to grant and notify short leave to Gazetted Officers and make the officiating arrangements provided they are local and do not involve a transfer.
Ditto ...	Ditto ...	...	High Court and Judicial Commissioner to be empowered (instead of Government) to make grade promotion and grade reversion amongst all grades of munsifs and amongst Subordinate Judges to and from the second grade. Government would reserve power to promote to and revert men from the first or highest grade.
Ditto ...	Ditto ...	Page 1, department II, Manual of Government Orders.	Inspector General of Civil Hospitals to be empowered to promote to the senior grade of Assistant Surgeons and to gazette the promotion. At present the power rests with Government.
Separate Revenue (Excise).	Wholesale licenses for sale of country spirit.	Rule 69, Excise Manual.	Power, at present exercised by Government to issue additional licenses of the kind during the year, should be delegated to the Excise Commissioner subject to appeal to the Board by the persons affected.
Judicial (Civil)	Appointment, suspension, dismissal, or removal of sub-registrars.	Sections 6 and 13, Indian Registration Act (III of 1877).	Power to appoint, suspend, remove, or dismiss sub-registrars, at present exercised by the Local Government, to be delegated to the Inspector-General of Registration.

Department.	Subject.	Authority.	Suggestions.
Judicial (Civil)	Applications from sub-registrars for leave for more than three months.	Rule 12 of the United Provinces Registration Manual.	Power to grant such leave, at present reserved by the Local Government, to be delegated to the Inspector-General of Registration.
Ditto ...	Suspension or removal of Subordinate Judicial Officers.	Sections 29 and 30, Oudh Civil Courts Act (XIII of 1879).	At present the Local Government suspends or moves munsifs in Oudh. The Judicial Commissioner suspends them in cases of urgent necessity and reports to the Government for orders. It is proposed to give the Judicial Commissioner the power conferrrd on the High Court, North-Western Provinces, to suspend and remove a munsif and appoint a commission for enquiring into alleged misconduct [vide section 28, Bengal, North-Western Provinces, and Assam Civil Courts Act (XII of 1887)].
Ditto ...	Increasing pecuniary limit of jurisdiction of subordinate civil courts in Agra.	Section 19, Bengal, North-Western Provinces, and Assam Civil Courts Act (XII of 1887).	High Court may be given the power now exercised by the Local Government.
Ditto ...	Increasing pecuniary limit of jurisdiction of subordinate civil courts in Oudh.	Section 17, Oudh Civil Courts Act (XIII of 1879).	Judicial Commissioner of Oudh may be given the powers now exercised by the Local Government.
Ditto ...	Investment of Subordinate Judges and munsifs in Oudh with small cause court jurisdiction.	Section 24, Oudh Civil Courts Act (XIII of 1879).	The Local Government's authority to give and withdraw powers under section 24, to be conferred on the Judicial Commissioner.
Ditto ...	Investment of Subordinate Judges and munsifs in Agra with small cause court jurisdiction.	Section 25, Bengal North-Western Provinces, and Assam Civil Courts Act (XII of 1887).	The Local Government's authority to give and withdraw powers under section 25, to be conferred on the High Court, North-Western Provinces.
Ditto ...	Transfers of ministerial officers of civil courts in Agra.	Section 34, Bengal, North-Western Provinces, and Assam Civil Courts Act (XII of 1887).	It is proposed to empower the High Court, North-Western Provinces, to transfer a ministerial officer from the jurisdiction of one judge to that of another. District Judges may be authorized to make exchanges when arrangements can be made between themselves.
Police ...	Re-allocation of police circles.	Section 4 (1) (*s*), Criminal Procedure Code.	The Local Government's power to alter the limits of a police station may be delegated to the Commissioner of the division as long as the number of stations in a district is not altered.
Judicial (Criminal).	Criminal lunatics	Sections 464 to 472, Criminal Procedure Code.	The courts may be authorized to send criminal lunatics to asylums without the intervention of higher authority, except that orders of Magistrates subordinate to the District Magistrate should require the latter's confirmation.
Ditto ...	Removal of insane prisoners to a lunatic asylum.	Section 30 (1), Prisioners Act (III of 1900).	The Local Government's authority to direct removal to be delegated to the Inspector-General of Prisons.
Ditto ...	Retransfer to jail of a recovered criminal lunatic.	Section 30 (2), Prisoners Act, (III of 1900).	The visitors of the asylum should have authority to order retransfer (cf. section 9, Act XXXVI of 1858).
Ditto ...	Removal of convicts to the Andamans.	Section 32, Prisoners Act (III of 1900).	It is proposed to authorize the Inspector-General of Prisons to act on behalf of Government. At present all such references are submitted to Government.
Ditto ...	Establishment of jail warders.	Practice	At present the establishment for each jail is considered separately, and every increase and decrease in the sanctioned scale of an individual jail is separately approved. It is proposed to have a provincial scale and leave it to the Inspector-General of Prisons to fix the staff for each jail.
Ditto ...	Appointment of temporary warders in times of epidemic disease outbreaks.	Article 78 of the Civil Service Regulations.	The Local Government sanctions at present. The Inspector-General of Prisons may be given authority to sanction the appointments.
Ditto ...	Holding of the temporary charge of a district jail by an officer other than the Civil Surgeon.	Paragraphs 14 and 14 (*a*) of the Jail Manual.	Ordinarily the Civil Surgeon is the Superintendent of a district jail. In his absence arrangements for the charge of the jail are made by the District Magistrate, who under paragraph 14 is required to report them through the Inspector-General of Prisons for the sanction of Government. It is proposed that the sanction of Government should be dispensed with unless the Inspector-General for any special reason thinks a reference to Government necessary. The arrangements made by the Magistrate would simply be reported for the Inspector-General's information.

Department.	Subject.	Authority.	Suggestions.
Medical ...	Septennial examination of Assistant Surgeons.	G. G. O. (Home Department), No. 2182-91 dated the 29th December 1899.	The power of allowing Assistant Surgeons to appear at their examination a year before the completion of septennial periods, at present exercised by the Local Government, may be conferred on the Inspector-General of Civil Hospitals.
Ditto ...	Transfer of hospital assistants within the district.	Rule 164 (18) of the Medical Manual.	Transfers are at present made by Inspector-General of Civil Hospitals. It is proposed that district boards should be empowered to sanction the transfers with the concurrence of the Civil Surgeon. (The Inspector-General of Civil Hospitals is not in favour of this delegation, but the Lieutenant-Governor does not agree with him.)
Ditto ...	Appointment of civil hospital assistants.	Rule 164 (14) of the Medical Manual.	It is proposed to permit the Inspector-General of Civil Hospitals to make appointments within the sanctioned scale. The Local Government sanctions at present.
Ditto ...	Promotion of civil hospital assistants to the first and senior grades.	G. O. No. 267 V—120B dated the 20th November 1901.	The Local Government's power to promote to be delegated to the Inspector-General of Civil Hospitals.
Educational ...	Ordinary grants to European schools.	Article 37, European Schools Code.	These are submitted to Government for orders; there is no need for this, and the Director may sanction within the budget allotment.
Ditto ...	Arrangements for primary scholarship examination.	Article 90, European Schools Code.	Arrangements now required to be made by the Local Government should be carried out by the Head of the Department.

APPENDIX XIII.

Suggestions as to how far larger powers should be granted to district municipalities.

Department.	Subject.	Authority.	Suggestions.
Municipal ...	Fees for licenses for the use of places for certain offensive and dangerous trades.	Section 120, U. P. Municipalities Act, 1900.	The scale of fees for such licenses must be approved by the Local Government. This, however, might be left to Municipal Boards so far as fees not exceeding Rs. 10 per annum are concerned. Fees for petroleum licenses, however, should be fixed in accordance with the scale prescribed by the Government.
Ditto ...	Rules of regulation and control.	Section 133, U. P. Municipalities Act, 1900.	Municipal Boards should themselves be given authority to adopt *certain* model rules of regulation, either *en bloc* or with such slight modification that the District Magistrate considers a reference to Commissioner is not necessary. At present municipal rules require the sanction of the Government.
Ditto ...	Rules prescribing the accounts to be kept of night-soil and city sweepings.	Rules 214 to 221, Municipal Account Code.	These rules are not operative in a municipality unless specially applied thereto by the Local Government. The power to extend these rules to a municipality should rest with the board itself.
Miscellaneous ...	Remissions of ferry lease money.	G. O. No. 813—XI-108C, dated the 22nd March 1901 (page 101, Municipal Manual).	The limit within which Municipal Boards may sanction remissions on account of ferry leases might be raised from 5 per cent. to 20 per cent.
Ditto ...	Auction of ferry leases.	Section 8, Northern India Ferries Act, 1878.	The approval of the Commissioner is at present required to the letting by public auction of the tolls of any public ferry. Such approval should not be required where the term of the lease does not exceed five years.

Suggestions as to how far larger powers should be granted to District Boards.

Local Self-Government.	Appointment of compounders.	Rule 31 on page 68, District Board Manual (G.O. No. 1718—IX-27 dated the 17th October 1906) and rule 57 on page 11, Medical Manual.	Power might be delegated to District Boards to appoint compounders whose qualifications had been approved by the Civil Surgeon without obtaining any other sanction to the appointment. At present the sanction of the Inspector-General of Civil Hospitals is required both before the compounder is approved as a candidate and also before appointment.
Ditto ...	Employment of of officers and servants.	Rule 6 on page 61, District Board Manual (G.O. No. 1486—IX-24 dated the 27th August 1906).	Power might be delegated to District Boards to create appointments on pay not exceeding Rs. 30 a month. At present the board cannot entertain any establishment, with the exception perhaps of menial establishment, without the sanction of the Commissioner.
Ditt ...	Extension of powers of boards under the provident fund rules.	Rules 24 and 26 on page 83, District Board Manual (G.O. No. 1743—IX-24 dated the 31st October 1906).	Rule 26 might be altered so that the Board itself might allow, but not compel, all its servants to subscribe to the provident fund. At present the sanction of the Commissioner is required except in the case of teachers on not less than Rs. 10 a month: and the sanction of the Commissioner, which is at present necessary before payment can be made from a "dead account," should not be required.

Department.	Subject.	Authority.	Suggestions.
Local Self-Government.	Public Works ...	Rule 12 on page 307, District Board Manual (G.O. No. 1742—IX–24 dated the 31st October 1906.)	The limit within which District Boards may themselves sanction public works might be raised from Rs. 1,000 to Rs. 2,500. At present any project involving expenditure exceeding Rs. 1,000 has to be sanctioned by the Commissioner and any project costing more than Rs. 10,000 by the Local Government. (Rupees 2,500 is, in the case of certain Government departments, the general limit of works which may be carried out under the supervision of the administrative department and not the Public Works Department. The same principle might be applied to District Boards' works.)
Miscellaneous...	Remissions of ferry lease money.	G.O. No. 2104—XII–884 dated the 8th September 1900 (page 350, District Board Manual.)	The limit within which District Boards may sanction remissions on account of ferry leases might be raised from 5 per cent. to 20 per cent.
Ditto ...	Auction of ferry leases.	Section 8, Northern India Ferries Act, 1878.	The approval of the Commissioner is at present required required to the letting by public auction of the tolls of any public ferry. Such approval should not be required where the term of the lease does not exceed five years.

APPENDIX XIV.

Suggestions bearing upon decentralization not covered by other questions.

Department.	Subject.	Authority.	Suggestions.
Revenue ...	Returns (financial and commercial statistics.)	...	To be sent by the Director of Land Records and Agriculture direct to the Director-General of Commercial Intelligence, instead of through Government, a copy being sent to Government for information.
Financial ...	Claim made after six months.	Article 5 (*b*), Civil Account Code.	The rule which requires that no claim against Government not preferred within six months of its becoming due can be paid without the sanction of the Accountant-General leads to unnecessary correspondence. The period prescribed should be extended.
Ditto ...	Petty contingencies.	Article 75, Civil Account Code.	The Accountant-General at present raises objection to the expenditure of public money on petty items of this class without proper sanction. It ought to be laid down that no objection should be taken to such items where the expenditure does not exceed, say, a limit of of Rs. 5.
Ditto ...	Advances for industrial or commercial purposes.	Article 116, Civil Account Code.	This article should be amended so as to admit of advances for industrial or commercial purposes.
Ditto ...	Travelling allowance to officers in inferior service on transfer.	Article 1107, Civil Service Regulations.	Power to sanction travelling allowance for a journey on transfer to inferior servants has already been partly delegated, but it is not clear why the rule should be retained at all.
Municipal ...	Resolution reviewing municipal administration.	Orders of the Government of India.	This resolution, which is at present annual, should be triennial.
Ditto ...	Government review of annual administration report of municipalities.	G.O. No. 813/XI–108C dated the 22nd March 1901 (page 128, Municipal Manual).	At present the Government issues each year for each of the larger municipalities, or in the case of smaller municipalities for each division, a letter reviewing the administration reports. These may be made triennially.
Ditto ...	Commissioner's review of annual report of notified areas.	G.O. No. 1105 dated the 21st March 1904.	At present the Commissioner reviews the annual report submitted by the District Magistrate of the notified areas in his district and a copy is sent to the Local Government. The Commissioner should not formally review the report but should only communicate orders when necessary, and the Government should receive from Commissioners only a triennial report on all the notified areas in their divisions.
Ditto ...	Cantonment fund and budgets.	Section 23, Cantonments Act, 1889, and Cantonment Code, 1899, sections 30 to 33.	The management of a cantonment fund is entrusted to the cantonment authority subject to the control of the Local Government, which passes the budgets of all cantonments, and sanctions additional grants in the budget or even re-appropriations in certain cases. The General Officer Commanding the division should have full power to deal with the budgets, and the control of the fund appears to be a question entirely for the military authorities.
Ditto ...	Audit and inspection note on the accounts of a cantonment fund.	G.O. No. 609/XII—27–1906 dated the 2nd March 1906.	The Accountant General sends a copy of each such audit note to the Local Government, but no orders are passed on these notes. They are left to be dealt with by the General Officer Commanding the division. These notes should not be sent to the Government, save in exceptional circumstances where the Accountant-General considers such action necessary.

APPENDIX IV.

Extract from a letter from F. L. Petre, Esq., Joint Secretary to the Board of Revenue, North-Western Provinces and Oudh, to the Chief Secretary to Government, North-Western Provinces and Oudh, No. $\frac{1519\text{–}N.}{XII.\ 458}$*, dated the 12th September*, 1893.

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4. The consideration of the executive powers of Commissioners gives rise to the question of whether there are not now more wheels than are necessary in the administrative machine, and whether one of them might not advantageously, in respect to both the shortening of administrative procedure and the enhancement of the usefulness and responsibility of Commissioners, be removed. What the Board would suggest for the consideration of Government, at such time as may be convenient, is the abolition of the Board of Revenue as such, and its incorporation as part of the Local Government. The authority and responsibility of Commissioners, as well as their power to assist Government, would be enhanced if the Members of the Board, being removed from their present intermediate position, were to be formed into an Executive Council of the Lieutenant Governor. Under such an arrangement it might be possible to transfer for disposal to Commissioners a number of matters—which by law must now be referred to the Board of Revenue. On the other hand, matters which must be referred to a central controlling authority would come at once before that authority, the Local Government itself, which alone has, and ought to have, power to give final orders upon them. Further, the arrangement might not improbably tend to broaden and strengthen the Government by giving to the Lieutenant Governor as his councillors senior officers whom he should be able to trust, and by distributing between himself and others fit to share in it the responsibility, which at present falls upon him, as sole arbiter, in many matters, both public and personal. It would seem to be a move in accordance with the spirit of the day to provide the head of the local administration with some such councillors, who would be officially his colleagues, whose responsibility would be openly acknowledged like his own, and who would as such be empowered to record their opinion on official matters which are now disposed of on the sole responsibility of the head of the administration. In suggesting such a change, however, the Board desire it to be clearly understood that they do so only on the assumption that the Lieutenant Governor would, as heretofore, continue to be an officer belonging to the public service of India, thoroughly acquainted with the country, conversant with the language of the people, and capable of communicating directly with them. They feel that the population of the North-Western Provinces and Oudh is still far from having reached such a stage of education, and is not so represented by the more highly educated population at its capitals, as to render possible such an arrangement in respect to the appointment as Governors of gentlemen who have no previous Indian training or experience as subsists at Bombay and Madras. There would be no difficulty, under existing circumstances, in amalgamating the Board's executive office with the Revenue Department of Government. Considerable amendments of existing laws, which give authority to the Board, would be called for, but could be made without difficulty. The only point on which difficulty might possibly arise would be provision for the judicial work now done by the Board. But much of the revision work now done by them might be done away with by conferring judicial appellate powers on Collectors, Judges and Commissioners in cases where at present the decrees and orders of the courts of original (that is of Assistant Collectors of the first class) or first appellate (that is of Collectors) jurisdiction are final, subject only to revision by the Board, and by substituting for the present anomalous and unsatisfactory system of revenue appeals and revision the provisions of the Civil Procedure Code, by which one regular appeal to the next superior court is allowed on facts and law, and a second appeal to the highest provincial tribunal on law only. For the disposal of second appeals in the class of revenue cases, which at present are called "applications" in the law of the North-Western Provinces, it would be necessary to establish a tribunal superior to that of a single Commissioner. This might be constituted by forming a bench or benches of Commissioners. But in any case the difficulty should not, the Board think, prove insuperable. Where revisions of settlement were in progress it might be necessary to appoint a Settlement Commissioner. Such an appointment would probably be advantageous and a distinctly better arrangement than the present one, under which a large amount of detailed work, as distinct from general supervision and control, falls upon the Members personally.

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